

# Union Calendar No. 129

108TH CONGRESS  
1ST SESSION

# H. R. 2861

[Report No. 108-235]

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2003

Mr. WALSH, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the

1 Departments of Veterans Affairs and Housing and Urban  
 2 Development, and for sundry independent agencies,  
 3 boards, commissions, corporations, and offices for the fis-  
 4 cal year ending September 30, 2004, and for other pur-  
 5 poses, namely:

6 TITLE I—DEPARTMENT OF VETERANS AFFAIRS

7 VETERANS BENEFITS ADMINISTRATION

8 COMPENSATION, PENSION AND BURIAL BENEFITS

9 (INCLUDING TRANSFER OF FUNDS)

10 For the payment of compensation benefits to or on  
 11 behalf of veterans and a pilot program for disability ex-  
 12 aminations as authorized by law (38 U.S.C. 107, chapters  
 13 11, 13, 18, 51, 53, 55, and 61); pension benefits to or  
 14 on behalf of veterans as authorized by law (38 U.S.C.  
 15 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-  
 16 ial benefits, emergency and other officers' retirement pay,  
 17 adjusted-service credits and certificates, payment of pre-  
 18 miums due on commercial life insurance policies guaran-  
 19 teed under the provisions of article IV of the Soldiers' and  
 20 Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et  
 21 seq.) and for other benefits as authorized by law (38  
 22 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53,  
 23 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123;  
 24 45 Stat. 735; 76 Stat. 1198), \$29,845,127,000, to remain  
 25 available until expended: *Provided*, That not to exceed  
 26 \$17,617,000 of the amount appropriated under this head-

ing shall be reimbursed to “General operating expenses” and “Medical services for priority 1–6 veterans” for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans’ Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the “Compensation, pension and burial benefits” appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical facilities revolving fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

#### READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$2,529,734,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

## 1 VETERANS INSURANCE AND INDEMNITIES

2 For military and naval insurance, national service life  
3 insurance, servicemen's indemnities, service-disabled vet-  
4 erans insurance, and veterans mortgage life insurance as  
5 authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72  
6 Stat. 487, \$29,017,000, to remain available until ex-  
7 pended.

## 8 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM

## 9 ACCOUNT

## 10 (INCLUDING TRANSFER OF FUNDS)

11 For the cost of direct and guaranteed loans, such  
12 sums as may be necessary to carry out the program, as  
13 authorized by 38 U.S.C. chapter 37, subchapters I–III,  
14 as amended: *Provided*, That such costs, including the cost  
15 of modifying such loans, shall be as defined in section 502  
16 of the Congressional Budget Act of 1974, as amended:  
17 *Provided further*, That during fiscal year 2004, within the  
18 resources available, not to exceed \$300,000 in gross obli-  
19 gations for direct loans are authorized for specially adapt-  
20 ed housing loans, 38 U.S.C. 3711(i).

21 In addition, for administrative expenses to carry out  
22 the direct and guaranteed loan programs, \$154,850,000,  
23 which may be transferred to and merged with the appro-  
24 priation for “General operating expenses”.

## 1 EDUCATION LOAN FUND PROGRAM ACCOUNT

2 (INCLUDING TRANSFER OF FUNDS)

3 For the cost of direct loans, \$1,000, as authorized  
4 by 38 U.S.C. 3698, as amended: *Provided*, That such  
5 costs, including the cost of modifying such loans, shall be  
6 as defined in section 502 of the Congressional Budget Act  
7 of 1974, as amended: *Provided further*, That these funds  
8 are available to subsidize gross obligations for the prin-  
9 cipal amount of direct loans not to exceed \$3,400.

10 In addition, for administrative expenses necessary to  
11 carry out the direct loan program, \$70,000, which may  
12 be transferred to and merged with the appropriation for  
13 “General operating expenses”.

## 14 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For the cost of direct loans, \$52,000, as authorized  
17 by 38 U.S.C. chapter 31, as amended: *Provided*, That such  
18 costs, including the cost of modifying such loans, shall be  
19 as defined in section 502 of the Congressional Budget Act  
20 of 1974, as amended: *Provided further*, That funds made  
21 available under this heading are available to subsidize  
22 gross obligations for the principal amount of direct loans  
23 not to exceed \$3,938,000.

24 In addition, for administrative expenses necessary to  
25 carry out the direct loan program, \$300,000, which may

1 be transferred to and merged with the appropriation for  
2 “General operating expenses”.

3 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

4 ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 For administrative expenses to carry out the direct  
7 loan program authorized by 38 U.S.C. chapter 37, sub-  
8 chapter V, as amended, \$571,000, which may be trans-  
9 ferred to and merged with the appropriation for “General  
10 operating expenses”: *Provided*, That no new loans in ex-  
11 cess of \$40,000,000 may be made in fiscal year 2004.

12 GUARANTEED TRANSITIONAL HOUSING LOANS FOR

13 HOMELESS VETERANS PROGRAM ACCOUNT

14 For the administrative expenses to carry out the  
15 guaranteed transitional housing loan program authorized  
16 by 38 U.S.C. chapter 37, subchapter VI, not to exceed  
17 \$350,000 of the amounts appropriated by this Act for  
18 “General operating expenses” and “Medical services for  
19 priority 1–6 veterans) may be expended.

20 VETERANS HEALTH ADMINISTRATION

21 MEDICAL SERVICES FOR PRIORITY 1–6 VETERANS

22 For necessary expenses for furnishing, as authorized  
23 by law, inpatient and outpatient care and treatment to  
24 beneficiaries of the Department of Veterans Affairs other  
25 than veterans described in paragraphs (7) and (8) of sec-  
26 tion 1705(a) of title 38, United States Code, including

1 care and treatment in facilities not under the jurisdiction  
2 of the department and including medical supplies and  
3 equipment and salaries and expenses of health-care em-  
4 ployees hired under title 38, United States Code, and aid  
5 to State homes as authorized by section 1741 of title 38,  
6 United States Code; \$15,779,220,000, plus reimburse-  
7 ments: *Provided*, That of the funds made available under  
8 this heading, not less than \$200,000,000 is for the equip-  
9 ment object classification, which amount shall not become  
10 available for obligation until August 1, 2004, and shall  
11 remain available until September 30, 2005: *Provided fur-*  
12 *ther*, That of the funds made available under this heading,  
13 not to exceed \$700,000,000 shall be available until Sep-  
14 tember 30, 2005.

15 MEDICAL SERVICES FOR PRIORITY 7–8 VETERANS

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for furnishing, as authorized  
18 by law, inpatient and outpatient care and treatment to  
19 beneficiaries of the Department of Veterans Affairs who  
20 are veterans described in paragraphs (7) and (8) of section  
21 1705(a) of title 38, United States Code, including care  
22 and treatment in facilities not under the jurisdiction of  
23 the Department and including medical supplies and equip-  
24 ment and salaries and expenses of health-care employees  
25 hired under title 38, United States Code, and aid to State  
26 homes as authorized by section 1741 of title 38, United

1 States Code; \$2,164,000,000, plus reimbursements: *Pro-*  
 2 *vided*, That of the amounts provided under this heading,  
 3 \$1,500,000,000 shall be derived from amounts deposited  
 4 during the current fiscal year in the Department of Vet-  
 5 erans Affairs Medical Care Collections Fund under section  
 6 1729A of title 38, United States Code, and transferred  
 7 to this account, to remain available until expended.

8 MEDICAL AND PROSTHETIC RESEARCH

9 For necessary expenses in carrying out programs of  
 10 medical and prosthetic research and development as au-  
 11 thorized by chapter 73 of title 38, United States Code,  
 12 to remain available until September 30, 2005,  
 13 \$408,000,000, plus reimbursements.

14 MEDICAL ADMINISTRATION

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses in the administration of the  
 17 medical, hospital, nursing home, domiciliary, construction,  
 18 supply, and research activities, as authorized by law; ad-  
 19 ministrative expenses in support of capital policy activi-  
 20 ties; information technology hardware and software; uni-  
 21 forms or allowances therefor, as authorized by sections  
 22 5901–5902 of title 5, United States Code; and administra-  
 23 tive and legal expenses of the department for collecting  
 24 and recovering amounts owed the department as author-  
 25 ized under chapter 17 of title 38, United States Code, and  
 26 the Federal Medical Care Recovery Act (42 U.S.C. 2651



1 et seq.); \$4,854,000,000, of which \$300,000,000 shall be  
2 available until September 30, 2005, plus reimbursements:  
3 *Provided*, That funds available under this heading may be  
4 transferred to “Medical Services for Priority 1–6 Vet-  
5 erans” or to “Medical Services for Priority 7–8 Veterans”  
6 after notice of the amount and purpose of the transfer  
7 is provided to the Committees on Appropriations of the  
8 Senate and House of Representatives and a period of 30  
9 days has elapsed.

10 MEDICAL FACILITIES

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses for the maintenance and op-  
13 eration of hospitals, nursing homes, and domiciliary facili-  
14 ties and other necessary facilities for the Veterans Health  
15 Administration; for administrative expenses in support of  
16 planning, design, project management, real property ac-  
17 quisition and disposition, construction and renovation of  
18 any facility under the jurisdiction or for the use of the  
19 department; for oversight, engineering and architectural  
20 activities not charged to project costs; for repairing, alter-  
21 ing, improving or providing facilities in the several hos-  
22 pitals and homes under the jurisdiction of the department,  
23 not otherwise provided for, either by contract or by the  
24 hire of temporary employees and purchase of materials;  
25 for leases of facilities; and for laundry and food services,  
26 \$4,000,000,000: *Provided*, That of the funds made avail-

1 able under this heading, not less than \$80,000,000 is for  
2 the land and structures object classification, which amount  
3 shall not become available for obligation until August 1,  
4 2004, and shall remain available until September 30,  
5 2005: *Provided further*, That funds available under this  
6 heading may be transferred to “Medical Services for Pri-  
7 ority 1–6 Veterans” or to “Medical Services for Priority  
8 7–8 Veterans” after notice of the amount and purpose of  
9 the transfer is provided to the Committees on Appropria-  
10 tions of the Senate and House of Representatives and a  
11 period of 30 days has elapsed.

12 DEPARTMENTAL ADMINISTRATION

13 GENERAL OPERATING EXPENSES

14 For necessary operating expenses of the Department  
15 of Veterans Affairs, not otherwise provided for, including  
16 administrative expenses in support of department-wide  
17 capital planning, management and policy activities, uni-  
18 forms or allowances therefor; not to exceed \$25,000 for  
19 official reception and representation expenses; hire of pas-  
20 senger motor vehicles; and reimbursement of the General  
21 Services Administration for security guard services, and  
22 the Department of Defense for the cost of overseas em-  
23 ployee mail, \$1,283,272,000: *Provided*, That expenses for  
24 services and assistance authorized under 38 U.S.C.  
25 3104(a)(1), (2), (5), and (11) that the Secretary deter-

1 mines are necessary to enable entitled veterans: (1) to the  
2 maximum extent feasible, to become employable and to ob-  
3 tain and maintain suitable employment; or (2) to achieve  
4 maximum independence in daily living, shall be charged  
5 to this account: *Provided further*, That the Veterans Bene-  
6 fits Administration shall be funded at not less than  
7 \$1,005,000,000: *Provided further*, That of the funds made  
8 available under this heading, not to exceed \$66,000,000  
9 shall be available for obligation until September 30, 2005:  
10 *Provided further*, That from the funds made available  
11 under this heading, the Veterans Benefits Administration  
12 may purchase up to two passenger motor vehicles for use  
13 in operations of that Administration in Manila, Phil-  
14ippines: *Provided further*, That travel expenses for this ac-  
15count shall not exceed \$17,082,000.

16 NATIONAL CEMETERY ADMINISTRATION

17 For necessary expenses of the National Cemetery Ad-  
18ministration for operations and maintenance, not other-  
19wise provided for, including uniforms or allowances there-  
20for; cemeterial expenses as authorized by law; purchase  
21of one passenger motor vehicle for use in cemeterial oper-  
22ations; and hire of passenger motor vehicles,  
23\$144,223,000, to remain available until September 30,  
242005.

## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, as amended, \$61,750,000, to remain  
5 available until September 30, 2005.

## 6 CONSTRUCTION, MAJOR PROJECTS

7 For constructing, altering, extending and improving  
8 any of the facilities under the jurisdiction or for the use  
9 of the Department of Veterans Affairs, or for any of the  
10 purposes set forth in sections 316, 2404, 2406, 8102,  
11 8103, 8106, 8108, 8109, 8110, and 8122 of title 38,  
12 United States Code, including planning, architectural and  
13 engineering services, maintenance or guarantee period  
14 services costs associated with equipment guarantees pro-  
15 vided under the project, services of claims analysts, offsite  
16 utility and storm drainage system construction costs, and  
17 site acquisition, where the estimated cost of a project is  
18 \$4,000,000 or more or where funds for a project were  
19 made available in a previous major project appropriation,  
20 \$274,690,000, to remain available until expended, of  
21 which \$173,000,000 shall be for Capital Asset Realign-  
22 ment for Enhanced Services (CARES) activities; and of  
23 which \$10,000,000 shall be to make reimbursements as  
24 provided in 41 U.S.C. 612 for claims paid for contract  
25 disputes: *Provided*, That except for advance planning ac-  
26 tivities, including needs assessments which may or may

1 not lead to capital investments, and other capital asset  
2 management related activities, such as portfolio develop-  
3 ment and management activities, and investment strategy  
4 studies funded through the advance planning fund and the  
5 planning and design activities funded through the design  
6 fund and CARES funds, including needs assessments  
7 which may or may not lead to capital investments, none  
8 of the funds appropriated under this heading shall be used  
9 for any project which has not been approved by the Con-  
10 gress in the budgetary process: *Provided further*, That  
11 funds provided in this appropriation for fiscal year 2004,  
12 for each approved project (except those for CARES activi-  
13 ties referenced above) shall be obligated: (1) by the award-  
14 ing of a construction documents contract by September  
15 30, 2004; and (2) by the awarding of a construction con-  
16 tract by September 30, 2004: *Provided further*, That the  
17 Secretary of Veterans Affairs shall promptly report in  
18 writing to the Committees on Appropriations any ap-  
19 proved major construction project in which obligations are  
20 not incurred within the time limitations established above:  
21 *Provided further*, That no funds from any other account  
22 except the “Parking revolving fund”, may be obligated for  
23 constructing, altering, extending, or improving a project  
24 which was approved in the budget process and funded in  
25 this account until one year after substantial completion

1 and beneficial occupancy by the Department of Veterans  
2 Affairs of the project or any part thereof with respect to  
3 that part only.

4 CONSTRUCTION, MINOR PROJECTS

5 For constructing, altering, extending, and improving  
6 any of the facilities under the jurisdiction or for the use  
7 of the Department of Veterans Affairs, including planning  
8 and assessments of needs which may lead to capital invest-  
9 ments, architectural and engineering services, mainte-  
10 nance or guarantee period services costs associated with  
11 equipment guarantees provided under the project, services  
12 of claims analysts, offsite utility and storm drainage sys-  
13 tem construction costs, and site acquisition, or for any of  
14 the purposes set forth in sections 316, 2404, 2406, 8102,  
15 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title  
16 38, United States Code, where the estimated cost of a  
17 project is less than \$4,000,000, \$252,144,000, to remain  
18 available until expended, along with unobligated balances  
19 of previous “Construction, minor projects” appropriations  
20 which are hereby made available for any project where the  
21 estimated cost is less than \$4,000,000, of which  
22 \$35,000,000 shall be for Capital Asset Realignment for  
23 Enhanced Services (CARES) activities: *Provided*, That  
24 from amounts appropriated under this heading, additional  
25 amounts may be used for CARES activities upon notifica-  
26 tion of and approval by the Committees on Appropria-

1 tions: *Provided further*, That funds in this account shall  
 2 be available for: (1) repairs to any of the nonmedical facili-  
 3 ties under the jurisdiction or for the use of the Depart-  
 4 ment which are necessary because of loss or damage  
 5 caused by any natural disaster or catastrophe; and (2)  
 6 temporary measures necessary to prevent or to minimize  
 7 further loss by such causes.

#### 8 PARKING REVOLVING FUND

9 For the parking revolving fund as authorized by 38  
 10 U.S.C. 8109, income from fees collected, to remain avail-  
 11 able until expended, which shall be available for all author-  
 12 ized expenses except operations and maintenance costs,  
 13 which will be funded from “Medical facilities”.

#### 14 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE 15 FACILITIES

16 For grants to assist States to acquire or construct  
 17 State nursing home and domiciliary facilities and to re-  
 18 model, modify or alter existing hospital, nursing home and  
 19 domiciliary facilities in State homes, for furnishing care  
 20 to veterans as authorized by 38 U.S.C. 8131–8137,  
 21 \$102,100,000, to remain available until expended.

#### 22 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS 23 CEMETERIES

24 For grants to aid States in establishing, expanding,  
 25 or improving State veterans cemeteries as authorized by

1 38 U.S.C. 2408, \$32,000,000, to remain available until  
2 expended.

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 101. Any appropriation for fiscal year 2004 for  
6 “Compensation, pension and burial benefits”, “Readjust-  
7 ment benefits”, and “Veterans insurance and indemnities”  
8 may be transferred to any other of the mentioned appro-  
9 priations.

10 SEC. 102. Appropriations available to the Depart-  
11 ment of Veterans Affairs for fiscal year 2004 for salaries  
12 and expenses shall be available for services authorized by  
13 5 U.S.C. 3109 hire of passenger motor vehicles; lease of  
14 a facility or land or both; and uniforms or allowances  
15 therefore, as authorized by 5 U.S.C. 5901–5902.

16 SEC. 103. No appropriations in this Act for the De-  
17 partment of Veterans Affairs (except the appropriations  
18 for “Construction, major projects”, “Construction, minor  
19 projects”, and the “Parking revolving fund”) shall be  
20 available for the purchase of any site for or toward the  
21 construction of any new hospital or home.

22 SEC. 104. No appropriations in this Act for the De-  
23 partment of Veterans Affairs shall be available for hos-  
24 pitalization or examination of any persons (except bene-  
25 ficiaries entitled under the laws bestowing such benefits



1 to veterans, and persons receiving such treatment under  
2 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless re-  
3 imbursement of cost is made to the Medical care collec-  
4 tions fund account at such rates as may be fixed by the  
5 Secretary of Veterans Affairs.

6 SEC. 105. Appropriations available to the Depart-  
7 ment of Veterans Affairs for fiscal year 2004 for “Com-  
8 pensation, pension and burial benefits”, “Readjustment  
9 benefits”, and “Veterans insurance and indemnities” shall  
10 be available for payment of prior year accrued obligations  
11 required to be recorded by law against the corresponding  
12 prior year accounts within the last quarter of fiscal year  
13 2003.

14 SEC. 106. Appropriations accounts available to the  
15 Department of Veterans Affairs for fiscal year 2004 shall  
16 be available to pay prior year obligations of corresponding  
17 prior year appropriations accounts resulting from title X  
18 of the Competitive Equality Banking Act, Public Law  
19 100–86, except that if such obligations are from trust  
20 fund accounts they shall be payable from “Compensation,  
21 pension and burial benefits”.

22 SEC. 107. Notwithstanding any other provision of  
23 law, during fiscal year 2004, the Secretary of Veterans  
24 Affairs shall, from the National Service Life Insurance  
25 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-

1   ance Fund (38 U.S.C. 1923), and the United States Gov-  
2   ernment Life Insurance Fund (38 U.S.C. 1955), reim-  
3   burse the “General operating expenses” account for the  
4   cost of administration of the insurance programs financed  
5   through those accounts: *Provided*, That reimbursement  
6   shall be made only from the surplus earnings accumulated  
7   in an insurance program in fiscal year 2004 that are avail-  
8   able for dividends in that program after claims have been  
9   paid and actuarially determined reserves have been set  
10  aside: *Provided further*, That if the cost of administration  
11  of an insurance program exceeds the amount of surplus  
12  earnings accumulated in that program, reimbursement  
13  shall be made only to the extent of such surplus earnings:  
14  *Provided further*, That the Secretary shall determine the  
15  cost of administration for fiscal year 2004 which is prop-  
16  erly allocable to the provision of each insurance program  
17  and to the provision of any total disability income insur-  
18  ance included in such insurance program.

19       SEC. 108. Notwithstanding any other provision of  
20  law, the Department of Veterans Affairs shall continue the  
21  Franchise Fund pilot program authorized to be estab-  
22  lished by section 403 of Public Law 103–356 until Octo-  
23  ber 1, 2004: *Provided*, That the Franchise Fund, estab-  
24  lished by title I of Public Law 104–204 to finance the

1 operations of the Franchise Fund pilot program, shall con-  
2 tinue until October 1, 2004.

3 SEC. 109. Amounts deducted from enhanced-use  
4 lease proceeds to reimburse an account for expenses in-  
5 curred by that account during a prior fiscal year for pro-  
6 viding enhanced-use lease services, may be obligated dur-  
7 ing the fiscal year in which the proceeds are received.

8 SEC. 110. Funds available in any Department of Vet-  
9 erans Affairs appropriation for fiscal year 2004 or funds  
10 for salaries and other administrative expenses shall also  
11 be available to reimburse the Office of Resolution Manage-  
12 ment and the Office of Employment Discrimination Com-  
13 plaint Adjudication for all services provided at rates which  
14 will recover actual costs but not exceed \$29,318,000 for  
15 the Office of Resolution Management and \$3,010,000 for  
16 the Office of Employment and Discrimination Complaint  
17 Adjudication: *Provided*, That payments may be made in  
18 advance for services to be furnished based on estimated  
19 costs: *Provided further*, That amounts received shall be  
20 credited to “General operating expenses” for use by the  
21 office that provided the service.

22 SEC. 111. No appropriations in this Act for the De-  
23 partment of Veterans Affairs shall be available to enter  
24 into any new lease of real property if the estimated annual  
25 rental is more than \$300,000 unless the Secretary submits

1 a report which the Committees on Appropriations of the  
2 Congress approve within 30 days following the date on  
3 which the report is received.

4 SEC. 112. No appropriations in this Act for the De-  
5 partment of Veterans Affairs shall be available for hos-  
6 pitalization or treatment of any person by reason of eligi-  
7 bility under section 1710(a)(3) of title 38, United States  
8 Code, unless that person has disclosed to the Secretary  
9 of Veterans Affairs, in such form as the Secretary may  
10 require—

11 (1) current, accurate third-party reimbursement  
12 information for purposes of section 1729 of such  
13 title; and

14 (2) annual income information for purposes of  
15 section 1722 of such title.

16 SEC. 113. Of the amounts provided in this Act,  
17 \$25,000,000 shall be for information technology initiatives  
18 to support the enterprise architecture of the Department  
19 of Veterans Affairs.

20 SEC. 114. None of the funds in this Act may be used  
21 to implement sections 2 and 5 of Public Law 107–287.

22 SEC. 115. Notwithstanding any other provision of  
23 law, the Secretary of Veterans Affairs may establish a pri-  
24 ority for treatment for veterans who have service-con-

1 nected disability, who are lower-income veterans, or who  
2 have special needs.

3 SEC. 116. (a) The Secretary of Veterans Affairs shall  
4 conduct by contract a program of recovery audits for the  
5 fee basis and other medical services contracts with respect  
6 to payments for hospital care. Notwithstanding section  
7 3302(b) of title 31, United States Code, amounts col-  
8 lected, by setoff or otherwise, as the result of such audits  
9 shall be available, without fiscal year limitation, for the  
10 purposes for which funds are appropriated under “Medical  
11 services for priority 7–8 veterans” and the purposes of  
12 paying a contractor a percent of the amount collected as  
13 a result of an audit carried out by the contractor.

14 (b) All amounts so collected under subsection (a) with  
15 respect to a designated health care region (as that term  
16 is defined in section 1729A(d)(2) of title 38, United States  
17 Code) shall be allocated, net of payments to the con-  
18 tractor, to that region.

19 SEC. 117. Amounts made available for Medical Serv-  
20 ices are available—

21 (1) for furnishing veterans provided Medical  
22 Services with recreational facilities, supplies, and  
23 equipment; and

1           (2) for funeral expenses, burial expenses, and  
2           other expenses incidental to funerals and burials for  
3           beneficiaries receiving care in the department.

4           SEC. 118. Balances in excess of \$1,500,000,000 in  
5           the Medical Care Collections Fund as of August 1, 2004  
6           shall be transferred to “Medical services for priority 7–  
7           8 veterans” for the purposes under that heading to be  
8           available until expended.

9           SEC. 119. Amounts made available for fiscal year  
10          2004 under the “Medical services for priority 1–6 vet-  
11          erans” and “Medical services for priority 7–8 veterans”  
12          accounts may be transferred between either account to the  
13          extent necessary to implement the restructuring of the  
14          Veterans Health Administration accounts after notice of  
15          the amount and purpose of the transfer is provided to the  
16          Committees on Appropriations of the Senate and House  
17          of Representatives and a period of 30 days has elapsed:  
18          *Provided*, That the limitation on transfers is ten percent  
19          in fiscal year 2004.

20          SEC. 120. The Department of Veterans Affairs med-  
21          ical center in Houston, Texas, shall after the date of the  
22          enactment of this Act be known as designated as the “Mi-  
23          chael E. DeBakey Department of Veterans Affairs Med-  
24          ical Center”. Any reference in any law, regulation, map,  
25          document, record, or other paper of the United States to

1 such medical center shall be considered to be a reference  
 2 to the Michael E. DeBakey Department of Veterans Af-  
 3 fairs Medical Center.

4 TITLE II—DEPARTMENT OF HOUSING AND  
 5 URBAN DEVELOPMENT  
 6 PUBLIC AND INDIAN HOUSING  
 7 HOUSING CERTIFICATE FUND  
 8 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

9 For activities and assistance under the United States  
 10 Housing Act of 1937, as amended (42 U.S.C. 1437 et  
 11 seq.) (“the Act” herein), not otherwise provided for,  
 12 \$18,430,606,000, and amounts that are recaptured in this  
 13 account, to remain available until expended: *Provided*,  
 14 That of the amounts made available under this heading,  
 15 \$14,230,606,000 and the aforementioned recaptures shall  
 16 be available on October 1, 2003 and \$4,200,000,000 shall  
 17 be available on October 1, 2004: *Provided further*, That  
 18 amounts made available under this heading are provided  
 19 as follows:

20 (1) \$16,295,578,000 for expiring or termi-  
 21 nating section 8 project-based subsidy contracts (in-  
 22 cluding section 8 moderate rehabilitation contracts),  
 23 for amendments to section 8 project-based subsidy  
 24 contracts, for contracts entered into pursuant to sec-  
 25 tion 441 of the McKinney-Vento Homeless Assist-  
 26 ance Act, for the renewal of section 8 contracts for

1 units in projects that are subject to approved plans  
2 of action under the Emergency Low Income Housing  
3 Preservation Act of 1987 or the Low-Income Hous-  
4 ing Preservation and Resident Homeownership Act  
5 of 1990, and for renewals of expiring section 8 ten-  
6 ant-based annual contributions contracts (including  
7 amendments and renewals of enhanced vouchers  
8 under any provision of law authorizing such assist-  
9 ance under section 8(t) of the Act (42 U.S.C.  
10 1437f(t))): *Provided*, That notwithstanding any  
11 other provision of law, the Secretary shall renew ex-  
12 piring section 8 tenant-based annual contributions  
13 contracts for each public housing agency, (including  
14 for agencies participating in the Moving to Work  
15 demonstration, unit months representing section 8  
16 tenant-based assistance funds committed by the pub-  
17 lic housing agency for specific purposes, other than  
18 reserves, that are authorized pursuant to any agree-  
19 ment and conditions entered into under such dem-  
20 onstration, and utilized in compliance with any ap-  
21 plicable program obligation deadlines) based on the  
22 total number of unit months which were under lease  
23 as reported on the most recent end-of-year financial  
24 statement submitted by the public housing agency to  
25 the Department, adjusted by such additional infor-



1        mation submitted by the public housing agency to  
2        the Secretary which the Secretary determines to be  
3        timely and reliable regarding the total number of  
4        unit months under lease at the time of renewal of  
5        the annual contributions contract, and by applying  
6        an inflation factor based on local or regional factors  
7        to the actual per unit cost as reported on such state-  
8        ment: *Provided further*, That none of the funds made  
9        available in this paragraph may be used to support  
10       a total number of unit months under lease which ex-  
11       ceeds a public housing agency's authorized level of  
12       units under contract;

13                (2) \$568,503,000 for a central fund to be allo-  
14       cated by the Secretary for amendments to section 8  
15       tenant-based annual contributions contracts for such  
16       purposes set forth in this paragraph: *Provided*, That  
17       subject to the following proviso, the Secretary may  
18       use amounts made available in such fund, as nec-  
19       essary, for contract amendments resulting from a  
20       significant increase in the per unit cost of vouchers  
21       or an increase in the total number of unit months  
22       under lease as compared to the per unit cost or the  
23       total number of unit months provided for by the an-  
24       nual contributions contract: *Provided further*, That if  
25       a public housing agency, at any point in time during

1       their fiscal year, has obligated the amounts made  
2       available to such agency pursuant to paragraph (1)  
3       under this heading for the renewal of expiring sec-  
4       tion 8 tenant-based annual contributions contracts,  
5       and if such agency has expended fifty percent of the  
6       amounts available to such agency in its annual con-  
7       tributions contract reserve account, the Secretary  
8       shall make available such amounts as are necessary  
9       from amounts available from such central fund to  
10      fund amendments under the preceding proviso with-  
11      in thirty days of a request from such agency: *Pro-*  
12      *vided further*, That none of the funds made available  
13      in this paragraph may be used to support a total  
14      number of unit months under lease which exceeds a  
15      public housing agency's authorized level of units  
16      under contract: *Provided further*, That the Secretary  
17      shall provide quarterly reports to the Committees on  
18      Appropriations of the House and the Senate on the  
19      obligation of funds provided in this paragraph in ac-  
20      cordance with the directions specified in the report  
21      accompanying this Act;

22               (3) \$206,495,100 for section 8 rental assistance  
23      for relocation and replacement of housing units that  
24      are demolished or disposed of pursuant to the Omni-  
25      bus Consolidated Rescissions and Appropriations Act

1 of 1996 (Public Law 104–134), conversion of section  
2 23 projects to assistance under section 8, the family  
3 unification program under section 8(x) of the Act,  
4 relocation of witnesses in connection with efforts to  
5 combat crime in public and assisted housing pursu-  
6 ant to a request from a law enforcement or prosecu-  
7 tion agency, enhanced vouchers under any provision  
8 of law authorizing such assistance under section 8(t)  
9 of the Act (42 U.S.C.1437f(t)), and tenant protec-  
10 tion assistance, including replacement and relocation  
11 assistance;

12 (4) \$48,000,000 for family self-sufficiency coor-  
13 dinators under section 23 of the Act;

14 (5) not to exceed \$1,209,020,000 for adminis-  
15 trative and other expenses of public housing agencies  
16 in administering the section 8 tenant-based rental  
17 assistance program: *Provided*, That, notwithstanding  
18 any other provision of law or regulation, the Sec-  
19 retary shall allocate funds provided in this para-  
20 graph among public housing agencies in a manner  
21 prescribed by the Secretary: *Provided further*, That  
22 none of the funds provided in this Act or any other  
23 Act may be used to supplement the amounts pro-  
24 vided in this paragraph: *Provided further*, That,  
25 hereafter, the Secretary shall recapture any funds

1 provided under this heading in this Act or any other  
2 Act for administrative fees and other expenses from  
3 a public housing agency which are in excess of the  
4 amounts expended by such agency for the section 8  
5 tenant-based rental assistance program and not oth-  
6 erwise needed to maintain an administrative fee re-  
7 serve account balance of not to exceed five percent:  
8 *Provided further,* That all such administrative fee  
9 amounts provided under this paragraph shall be only  
10 for activities directly related to the provision of rent-  
11 al assistance under section 8;

12 (6) \$100,000,000 for contract administrators  
13 for section 8 project-based assistance; and

14 (7) not less than \$3,010,000 shall be trans-  
15 ferred to the Working Capital Fund for the develop-  
16 ment of and modifications to information technology  
17 systems which serve programs or activities under  
18 “Public and Indian Housing”: *Provided,* That the  
19 Secretary may transfer up to 15 percent of funds  
20 provided under paragraphs (1), (2) or (5), herein to  
21 paragraphs (1) or (2), if the Secretary determines  
22 that such action is necessary because the funding  
23 provided under one such paragraph otherwise would  
24 be depleted and as a result, the maximum utilization  
25 of section 8 tenant-based assistance with the funds

1       appropriated for this purpose by this Act would not  
2       be feasible: *Provided further*, That prior to under-  
3       taking the transfer of funds in excess of 10 percent  
4       from any paragraph pursuant to the previous pro-  
5       viso, the Secretary shall notify the Chairman and  
6       Ranking Member of the Subcommittees on Veterans  
7       Affairs and Housing and Urban Development, and  
8       Independent Agencies of the Committees on Appro-  
9       priations of the House of Representatives and the  
10      Senate and shall not transfer any such funds until  
11      30 days after such notification: *Provided further*,  
12      That incremental vouchers previously made available  
13      under this heading for non-elderly disabled families  
14      shall, to the extent practicable, continue to be pro-  
15      vided to non-elderly disabled families upon turnover:  
16      *Provided further*, That \$1,372,000,000 is rescinded  
17      from unobligated balances remaining from funds ap-  
18      propriated to the Department of Housing and Urban  
19      Development under this heading or the heading  
20      “Annual contributions for assisted housing” or any  
21      other heading for fiscal year 2003 and prior years,  
22      to be effected by the Secretary no later than Sep-  
23      tember 30, 2004: *Provided further*, That any such  
24      balances governed by reallocation provisions under  
25      the statute authorizing the program for which the

1 funds were originally appropriated shall be available  
 2 for the rescission: *Provided further*, That any obli-  
 3 gated balances of contract authority from fiscal year  
 4 1974 and prior that have been terminated shall be  
 5 cancelled.

6 PUBLIC HOUSING CAPITAL FUND  
 7 (INCLUDING TRANSFER OF FUNDS)

8 For the Public Housing Capital Fund Program to  
 9 carry out capital and management activities for public  
 10 housing agencies, as authorized under section 9 of the  
 11 United States Housing Act of 1937, as amended (42  
 12 U.S.C. 1437g) (the “Act”) \$2,712,255,000, to remain  
 13 available until September 30, 2007: *Provided*, That of the  
 14 total amount provided under this heading, in addition to  
 15 amounts otherwise allocated under this heading,  
 16 \$429,000,000 shall be allocated for such capital and man-  
 17 agement activities only among public housing agencies  
 18 that have obligated all assistance for the agency for fiscal  
 19 years 2001 and 2002 made available under this same  
 20 heading in accordance with the requirements under para-  
 21 graphs (1) and (2) of section 9(j) of such Act: *Provided*  
 22 *further*, That notwithstanding any other provision of law  
 23 or regulation, during fiscal year 2004, the Secretary may  
 24 not delegate to any Department official other than the  
 25 Deputy Secretary any authority under paragraph (2) of  
 26 such section 9(j) regarding the extension of the time peri-

ods under such section for obligation of amounts made available for fiscal year 1998, 1999, 2000, 2001, 2002, 2003, or 2004: *Provided further*, That with respect to any amounts made available under the Public Housing Capital Fund for fiscal year 1999, 2000, 2001, 2002, 2003, or 2004 that remain unobligated in violation of paragraph (1) of such section 9(j) or unexpended in violation of paragraph (5)(A) of such section 9(j), the Secretary shall recapture any such amounts and reallocate such amounts among public housing agencies determined under section 6(j) of the Act to be high-performing: *Provided further*, That for purposes of this heading, the term “obligate” means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That if the Secretary issues a regulation for effect implementing section 9(j) of the United States Housing Act of 1937 (42 U.S.C. 1437g(j)), the first and third provisos under this heading shall cease to be effective: *Provided further*, That of the total amount provided under this heading, up to \$51,000,000 shall be for carrying out activities under section 9(h) of such Act, of which \$13,000,000 shall be for the provision of remediation services to public housing agencies identified as “troubled” under the Section 8 Management Assessment Program and for surveys used

1 to calculate local Fair Market Rents and assess housing  
2 conditions in connection with rental assistance under sec-  
3 tion 8 of the Act: *Provided further*, That of the total  
4 amount provided under this heading, up to \$500,000 shall  
5 be for lease adjustments to section 23 projects, and no  
6 less than \$10,610,000 shall be transferred to the Working  
7 Capital Fund for the development of and modifications to  
8 information technology systems which serve programs or  
9 activities under “Public and Indian housing”: *Provided*  
10 *further*, That no funds may be used under this heading  
11 for the purposes specified in section 9(k) of the United  
12 States Housing Act of 1937, as amended: *Provided fur-*  
13 *ther*, That of the total amount provided under this head-  
14 ing, up to \$40,000,000 shall be available for the Secretary  
15 of Housing and Urban Development to make grants to  
16 public housing agencies for emergency capital needs re-  
17 sulting from emergencies and natural disasters in fiscal  
18 year 2004: *Provided further*, That of the total amount pro-  
19 vided under this heading, \$55,000,000 shall be for sup-  
20 portive services, service coordinators and congregate serv-  
21 ices as authorized by section 34 of the Act and the Native  
22 American Housing Assistance and Self-Determination Act  
23 of 1996.

24       The first proviso under this heading in the Depart-  
25 ments of Veterans Affairs and Housing and Urban Devel-



1 opment, and Independent Agencies Appropriations Act,  
2 2003, is amended by striking “1998, 1999”.

3 PUBLIC HOUSING OPERATING FUND

4 For 2004 payments to public housing agencies for the  
5 operation and management of public housing, as author-  
6 ized by section 9(e) of the United States Housing Act of  
7 1937, as amended (42 U.S.C. 1437g(e)), \$3,600,000,000:  
8 *Provided*, That of the total amount provided under this  
9 heading, \$10,000,000 shall be for programs, as deter-  
10 mined appropriate by the Attorney General, which assist  
11 in the investigation, prosecution, and prevention of violent  
12 crimes and drug offenses in public and federally-assisted  
13 low-income housing, including Indian housing, which shall  
14 be administered by the Department of Justice through a  
15 reimbursable agreement with the Department of Housing  
16 and Urban Development: *Provided further*, That no funds  
17 may be used under this heading for the purposes specified  
18 in section 9(k) of the United States Housing Act of 1937,  
19 as amended: *Provided further*, That in 2004 and hereafter,  
20 no amounts provided under this heading may be used for  
21 payments to public housing agencies for the costs of oper-  
22 ation and management of public housing in any year prior  
23 to the current year.

18 NATIVE AMERICAN HOUSING BLOCK GRANTS  
19 (INCLUDING TRANSFERS OF FUNDS)

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1 American Indian Housing Council in support of the imple-  
2 mentation of NAHASDA; of which \$5,000,000 shall be  
3 to support the inspection of Indian housing units, contract  
4 expertise, training, and technical assistance in the train-  
5 ing, oversight, and management of Indian housing and  
6 tenant-based assistance, including up to \$300,000 for re-  
7 lated travel; and of which no less than \$2,720,000 shall  
8 be transferred to the Working Capital Fund for develop-  
9 ment of and modifications to information technology sys-  
10 tems which serve programs or activities under “Public and  
11 Indian housing”: *Provided*, That of the amount provided  
12 under this heading, \$1,000,000 shall be made available  
13 for the cost of guaranteed notes and other obligations, as  
14 authorized by title VI of NAHASDA: *Provided further*,  
15 That such costs, including the costs of modifying such  
16 notes and other obligations, shall be as defined in section  
17 502 of the Congressional Budget Act of 1974, as amend-  
18 ed: *Provided further*, That these funds are available to sub-  
19 sidize the total principal amount of any notes and other  
20 obligations, any part of which is to be guaranteed, not to  
21 exceed \$8,049,000: *Provided further*, That for administra-  
22 tive expenses to carry out the guaranteed loan program,  
23 up to \$150,000 from amounts in the first proviso, which  
24 shall be transferred to and merged with the appropriation

1 for “Salaries and expenses”, to be used only for the ad-  
2 ministrative costs of these guarantees.

3 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

4 ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 For the cost of guaranteed loans, as authorized by  
7 section 184 of the Housing and Community Development  
8 Act of 1992 (12 U.S.C. 1715z–13a), \$5,300,000, to re-  
9 main available until expended: *Provided*, That such costs,  
10 including the costs of modifying such loans, shall be as  
11 defined in section 502 of the Congressional Budget Act  
12 of 1974, as amended: *Provided further*, That these funds  
13 are available to subsidize total loan principal, any part of  
14 which is to be guaranteed, not to exceed \$197,243,000.

15 In addition, for administrative expenses to carry out  
16 the guaranteed loan program, up to \$250,000 from  
17 amounts in the first paragraph, which shall be transferred  
18 to and merged with the appropriation for “Salaries and  
19 expenses”, to be used only for the administrative costs of  
20 these guarantees.

21 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

22 PROGRAM ACCOUNT

23 (INCLUDING TRANSFER OF FUNDS)

24 For the cost of guaranteed loans, as authorized by  
25 section 184A of the Housing and Community Develop-  
26 ment Act of 1992 (12 U.S.C. 1715z–13b), \$1,000,000, to

1 remain available until expended: *Provided*, That such  
2 costs, including the costs of modifying such loans, shall  
3 be as defined in section 502 of the Congressional Budget  
4 Act of 1974, as amended: *Provided further*, That these  
5 funds are available to subsidize total loan principal, any  
6 part of which is to be guaranteed, not to exceed  
7 \$35,347,985.

8       In addition, for administrative expenses to carry out  
9 the guaranteed loan program, up to \$35,000 from  
10 amounts in the first paragraph, which shall be transferred  
11 to and merged with the appropriation for “Salaries and  
12 expenses”, to be used only for the administrative costs of  
13 these guarantees.

14           COMMUNITY PLANNING AND DEVELOPMENT

15       HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

16       For carrying out the Housing Opportunities for Per-  
17 sons with AIDS program, as authorized by the AIDS  
18 Housing Opportunity Act (42 U.S.C. 12901 et seq.),  
19 \$297,000,000, to remain available until September 30,  
20 2005: *Provided*, That the Secretary shall renew all expir-  
21 ing contracts for permanent supportive housing that were  
22 funded under section 854(c)(3) of such Act that meet all  
23 program requirements before awarding funds for new con-  
24 tracts and activities authorized under this section: *Pro-*  
25 *vided further*, That the Secretary may use up to

1 \$2,000,000 of the funds under this heading for training,  
2 oversight, and technical assistance activities.

3 RURAL HOUSING AND ECONOMIC DEVELOPMENT

4 For the Office of Rural Housing and Economic De-  
5 velopment in the Department of Housing and Urban De-  
6 velopment, \$25,000,000 to remain available until ex-  
7 pended, which amount shall be competitively awarded by  
8 June 1, 2004, to Indian tribes, State housing finance  
9 agencies, State community and/or economic development  
10 agencies, local rural nonprofits and community develop-  
11 ment corporations to support innovative housing and eco-  
12 nomic development activities in rural areas.

13 EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

14 For grants in connection with a second round of em-  
15 powerment zones and enterprise communities,  
16 \$15,000,000, to remain available until September 30,  
17 2005, for “Urban Empowerment Zones”, as authorized in  
18 section 1391(g) of the Internal Revenue Code of 1986 (26  
19 U.S.C. 1391(g)), including \$1,000,000 for each empower-  
20 ment zone for use in conjunction with economic develop-  
21 ment activities consistent with the strategic plan of each  
22 empowerment zone.

23 COMMUNITY DEVELOPMENT FUND

24 (INCLUDING TRANSFERS OF FUNDS)

25 For assistance to units of State and local govern-  
26 ment, and to other entities, for economic and community

1 development activities, and for other purposes,  
2 \$4,959,000,000, to remain available until September 30,  
3 2006: *Provided*, That of the amount provided,  
4 \$4,538,650,000 is for carrying out the community devel-  
5 opment block grant program under title I of the Housing  
6 and Community Development Act of 1974, as amended  
7 (the “Act” herein) (42 U.S.C. 5301 et seq.): *Provided fur-*  
8 *ther*, That unless explicitly provided for under this heading  
9 (except for planning grants provided in the third para-  
10 graph and amounts made available in the second para-  
11 graph), not to exceed 20 percent of any grant made with  
12 funds appropriated under this heading (other than a grant  
13 made available in this paragraph to the Housing Assist-  
14 ance Council or the National American Indian Housing  
15 Council, or a grant using funds under section 107(b)(3)  
16 of the Act) shall be expended for planning and manage-  
17 ment development and administration: *Provided further*,  
18 That \$72,000,000 shall be for grants to Indian tribes not-  
19 withstanding section 106(a)(1) of such Act; \$3,300,000  
20 shall be for a grant to the Housing Assistance Council;  
21 \$2,400,000 shall be for a grant to the National American  
22 Indian Housing Council; \$5,000,000 shall be available as  
23 a grant to the National Housing Development Corpora-  
24 tion, for operating expenses not to exceed \$2,000,000 and  
25 for a program of affordable housing acquisition and reha-

1 bilitation; \$5,000,000 shall be available as a grant to the  
2 National Council of La Raza for the HOPE Fund, of  
3 which \$500,000 is for technical assistance and fund man-  
4 agement, and \$4,500,000 is for investments in the HOPE  
5 Fund and financing to affiliated organizations;  
6 \$43,000,000 shall be for grants pursuant to section 107  
7 of the Act, of which \$9,500,000 shall be for the Native  
8 Hawaiian block grant authorized under title VIII of the  
9 Native American Housing Assistance and Self-Determina-  
10 tion Act of 1996; no less than \$4,900,000 shall be trans-  
11 ferred to the Working Capital Fund for the development  
12 of and modification to information technology systems  
13 which serve programs or activities under “Community  
14 planning and development”; \$28,000,000 shall be for  
15 grants pursuant to the Self Help Homeownership Oppor-  
16 tunity Program; \$33,250,000 shall be for capacity build-  
17 ing, of which \$28,250,000 shall be for Capacity Building  
18 for Community Development and Affordable Housing for  
19 LIISC and the Enterprise Foundation for activities as au-  
20 thorized by section 4 of the HUD Demonstration Act of  
21 1993 (42 U.S.C. 9816 note), as in effect immediately be-  
22 fore June 12, 1997, with not less than \$5,000,000 of the  
23 funding to be used in rural areas, including tribal areas,  
24 and of which \$5,000,000 shall be for capacity building ac-  
25 tivities administered by Habitat for Humanity Inter-



1 national; \$65,000,000 shall be available for YouthBuild  
2 program activities authorized by subtitle D of title IV of  
3 the Cranston-Gonzalez National Affordable Housing Act,  
4 as amended, and such activities shall be an eligible activity  
5 with respect to any funds made available under this head-  
6 ing: *Provided* That local YouthBuild programs that dem-  
7 onstrate an ability to leverage private and nonprofit fund-  
8 ing shall be given a priority for YouthBuild funding: *Pro-*  
9 *vided further*, That no more than 10 percent of any grant  
10 award under the YouthBuild program may be used for ad-  
11 ministrative costs: *Provided further*, That of the amount  
12 made available for YouthBuild not less than \$10,000,000  
13 is for grants to establish YouthBuild programs in under-  
14 served and rural areas and \$2,000,000 is to be made avail-  
15 able for a grant to YouthBuild USA for capacity building  
16 for community development and affordable housing activi-  
17 ties as specified in section 4 of the HUD Demonstration  
18 Act of 1993, as amended.

19       Of the amount made available under this heading,  
20 \$21,000,000 shall be available for neighborhood initiatives  
21 that are utilized to improve the conditions of distressed  
22 and blighted areas and neighborhoods, to stimulate invest-  
23 ment, economic diversification, and community revitaliza-  
24 tion in areas with population outmigration or a stagnating  
25 or declining economic base, or to determine whether hous-

1 ing benefits can be integrated more effectively with welfare  
2 reform initiatives: *Provided*, That amounts made available  
3 under this paragraph shall be provided in accordance with  
4 the terms and conditions specified in the report accom-  
5 panying this Act.

6       Of the amount made available under this heading,  
7 \$137,500,000 shall be available for grants for the Eco-  
8 nomic Development Initiative (EDI) to finance a variety  
9 of targeted economic investments in accordance with the  
10 terms and conditions specified in the report accompanying  
11 this Act: *Provided*, That none of the funds provided under  
12 this paragraph may be used for program operations.

13       The referenced statement of the managers under this  
14 heading in Public Law 107–73 is deemed to be amended  
15 with respect to the amount made available to the North  
16 Carolina Community Land Trust Initiative by striking  
17 “North Carolina Community Land Trust Initiative” and  
18 inserting “Orange Community Housing and Land Trust.”

19       The referenced statement of the managers under this  
20 heading in Public Law 107–73 is deemed to be amended  
21 with respect to the amount made available to the Willacy  
22 County Boys and Girls Club in Willacy County, Texas by  
23 striking “Willacy County Boys and Girls Club in Willacy  
24 County, Texas” and inserting “Willacy County, Texas”.

1       The referenced statement of the managers under this  
2 heading in Public Law 108–10 is deemed to be amended  
3 with respect to item number 17 by striking “for sidewalks,  
4 curbs, street lighting, outdoor furniture and façade im-  
5 provements in the Mill Village neighborhood” and insert-  
6 ing “for the restoration and renovation of houses within  
7 the Lincoln or Dallas mill villages”.

8       The referenced statement of the managers under this  
9 heading in Public Law 107–73 is deemed to be amended  
10 with respect to the amount made available to the Metro-  
11 politan Development Association in Syracuse, New York  
12 by inserting “and other economic development planning  
13 and revitalization activities” after the word “study”.

14       The referenced statement of the managers under this  
15 heading in Public Law 107–73 is deemed to be amended  
16 with respect to the amount made available to the Staten  
17 Island Freedom Memorial Fund by striking all “Staten  
18 Island Freedom Memorial Fund for the construction of  
19 a memorial in the Staten Island community of St. George,  
20 New York” and inserting “Staten Island Botanical Gar-  
21 den for construction and related activities for a healing  
22 garden”.

23       The referenced statement of the managers under this  
24 heading in title II of division K of the Consolidated Appro-  
25 priations Resolution, 2003 (Public Law 108–7; H. Rept.

1 108–10) is deemed to be amended with respect to item  
2 number 526 by striking “for an economic development  
3 study for the revitalization of Westchester” and inserting  
4 “for the reconstruction of renaissance plaza at Main and  
5 Mamaroneck in downtown White Plains”.

6       The referenced statement of the managers under this  
7 heading in title II of division K of the Consolidated Appro-  
8 priations Resolution, 2003 (Public Law 108–7; H. Rept.  
9 108–10) is deemed to be amended with respect to item  
10 number 877 by striking “West Virginia High Technology  
11 Consortium Foundation, Inc. in Marion County, West Vir-  
12 ginia for facilities construction for a high-tech park” and  
13 inserting “Glenville State College in Glenville, West Vir-  
14 ginia for construction of a new campus community edu-  
15 cation center”.

16       The referenced statement of the managers under this  
17 heading in title II of division K of the Consolidated Appro-  
18 priations Resolution, 2003 (Public Law 108–7; H. Rept.  
19 108–10) is deemed to be amended with respect to item  
20 number 126 by striking “for construction of” and insert-  
21 ing “for facilities improvements and build out for”.

22                   URBAN DEVELOPMENT ACTION GRANTS

23                                   (RESCISSION)

24       From balances of the Urban Development Action  
25 Grant Program, as authorized by title I of the Housing

1 and Community Development Act of 1974, as amended,  
 2 \$30,000,000 are canceled.

3 BROWNFIELDS REDEVELOPMENT

4 For competitive economic development grants, as au-  
 5 thorized by section 108(q) of the Housing and Community  
 6 Development Act of 1974, as amended, for Brownfields  
 7 redevelopment projects, \$25,000,000, to remain available  
 8 until September 30, 2005.

9 HOME INVESTMENT PARTNERSHIPS PROGRAM

10 (INCLUDING TRANSFER OF FUNDS)

11 For the HOME investment partnerships program, as  
 12 authorized under title II of the Cranston-Gonzalez Na-  
 13 tional Affordable Housing Act, as amended,  
 14 \$1,939,100,000, to remain available until September 30,  
 15 2006: *Provided*, That of the total amount provided in this  
 16 paragraph, up to \$40,000,000 shall be available for hous-  
 17 ing counseling under section 106 of the Housing and  
 18 Urban Development Act of 1968 and no less than  
 19 \$2,100,000 shall be transferred to the Working Capital  
 20 Fund for the development of and modifications to informa-  
 21 tion technology systems which serve programs or activities  
 22 under “Community planning and development”.

23 In addition to amounts otherwise made available  
 24 under this heading, \$125,000,000, to remain available  
 25 until September 30, 2006, for assistance to homebuyers  
 26 as authorized under title II of the Cranston-Gonzalez Na-

1 tional Affordable Housing Act, as amended: *Provided*,  
 2 That the Secretary shall provide such assistance in accord-  
 3 ance with a formula to be established by the Secretary  
 4 that considers a participating jurisdiction's need for, and  
 5 prior commitment to, assistance to homebuyers.

6 HOMELESS ASSISTANCE GRANTS  
 7 (INCLUDING TRANSFER OF FUNDS)

8 For the emergency shelter grants program as author-  
 9 ized under subtitle B of title IV of the McKinney-Vento  
 10 Homeless Assistance Act, as amended; the supportive  
 11 housing program as authorized under subtitle C of title  
 12 IV of such Act; the section 8 moderate rehabilitation sin-  
 13 gle room occupancy program as authorized under the  
 14 United States Housing Act of 1937, as amended, to assist  
 15 homeless individuals pursuant to section 441 of the  
 16 McKinney-Vento Homeless Assistance Act; and the shelter  
 17 plus care program as authorized under subtitle F of title  
 18 IV of such Act, \$1,242,000,000, of which \$1,222,000,000  
 19 to remain available until September 30, 2006, and of  
 20 which \$20,000,000 to remain available until expended:  
 21 *Provided*, That not less than 30 percent of funds made  
 22 available, excluding amounts provided for renewals under  
 23 the shelter plus care program, shall be used for permanent  
 24 housing: *Provided further*, That all funds awarded for  
 25 services shall be matched by 25 percent in funding by each  
 26 grantee: *Provided further*, That the Secretary shall renew

1 on an annual basis expiring contracts or amendments to  
2 contracts funded under the shelter plus care program if  
3 the program is determined to be needed under the applica-  
4 ble continuum of care and meets appropriate program re-  
5 quirements and financial standards, as determined by the  
6 Secretary: *Provided further*, That all awards of assistance  
7 under this heading shall be required to coordinate and in-  
8 tegrate homeless programs with other mainstream health,  
9 social services, and employment programs for which home-  
10 less populations may be eligible, including Medicaid, State  
11 Children’s Health Insurance Program, Temporary Assist-  
12 ance for Needy Families, Food Stamps, and services fund-  
13 ing through the Mental Health and Substance Abuse  
14 Block Grant, Workforce Investment Act, and the Welfare-  
15 to-Work grant program: *Provided further*, That  
16 \$12,000,000 of the funds appropriated under this heading  
17 shall be available for the national homeless data analysis  
18 project and technical assistance: *Provided further*, That no  
19 less than \$2,580,000 of the funds appropriated under this  
20 heading shall be transferred to the Working Capital Fund  
21 for the development of and modifications to information  
22 technology systems which serve programs or activities  
23 under “Community planning and development”.

## HOUSING PROGRAMS

## HOUSING FOR THE ELDERLY

## (INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, \$773,320,000, plus recaptures and cancelled commitments, to remain available until September 30, 2006, of which amount \$50,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount up to \$25,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion of eligible projects under such section to assisted living or related use: *Provided*, That of the amount made available under this heading, \$16,000,000 shall be available to the Secretary of Housing and Urban Development only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to



1 the development of supportive housing for the elderly that  
 2 is eligible for assistance under section 202 of the Housing  
 3 Act of 1959 (12 U.S.C. 1701q): *Provided further*, That  
 4 no less than \$470,000 shall be transferred to the Working  
 5 Capital Fund for the development of and modifications to  
 6 information technology systems which serve programs or  
 7 activities under “Housing programs” or “Federal Housing  
 8 Administration”: *Provided further*, That the Secretary  
 9 may waive the provisions of section 202 governing the  
 10 terms and conditions of project rental assistance, except  
 11 that the initial contract term for such assistance shall not  
 12 exceed 5 years in duration: *Provided further*, That all bal-  
 13 ances outstanding, as of September 30, 2003, for capital  
 14 advances, including amendments to capital advances, for  
 15 housing for elderly, as authorized by section 202, for  
 16 project rental assistance for housing for the elderly, as au-  
 17 thorized under section 202(c)(2) of such Act, including  
 18 amendments to contracts shall be transferred to and  
 19 merged with the amounts for those purposes under this  
 20 heading.

21 HOUSING FOR PERSONS WITH DISABILITIES

22 (INCLUDING TRANSFER OF FUNDS)

23 For capital advance contracts, for supportive housing  
 24 for persons with disabilities, as authorized by section 811  
 25 of the Cranston-Gonzalez National Affordable Housing  
 26 Act, for project rental assistance for supportive housing

1 for persons with disabilities under section 811(d)(2) of  
2 such Act, including amendments to contracts for such as-  
3 sistance and renewal of expiring contracts for such assist-  
4 ance for up to a 1-year term, and for supportive services  
5 associated with the housing for persons with disabilities  
6 as authorized by section 811(b)(1) of such Act, and for  
7 tenant-based rental assistance contracts entered into pur-  
8 suant to section 811 of such Act, \$250,570,000, plus re-  
9 captures and cancelled commitments to remain available  
10 until September 30, 2006: *Provided*, That no less than  
11 \$470,000 shall be transferred to the Working Capital  
12 Fund for the development of and modifications to informa-  
13 tion technology systems which serve programs or activities  
14 under “Housing programs” or “Federal Housing Admin-  
15 istration”: *Provided further*, That of the amount provided  
16 under this heading, other than amounts for renewal of ex-  
17 piring project-based or tenant-based rental assistance con-  
18 tracts, the Secretary may designate up to 25 percent for  
19 tenant-based rental assistance, as authorized by section  
20 811 of such Act, (which assistance is five years in dura-  
21 tion): *Provided further*, That the Secretary may waive the  
22 provisions of section 811 governing the terms and condi-  
23 tions of project rental assistance and tenant-based assist-  
24 ance, except that the initial contract term for such assist-  
25 ance shall not exceed five years in duration: *Provided fur-*

1 *ther*, That all balances outstanding, as of September 30,  
 2 2003, for capital advances, including amendments to cap-  
 3 ital advances, for supportive housing for persons with dis-  
 4 abilities, as authorized by section 811, for project rental  
 5 assistance for supportive housing for persons with disabil-  
 6 ities, as authorized under section 811(d)(2), including  
 7 amendments to contracts for such assistance and renewal  
 8 of expiring contracts for such assistance, and for sup-  
 9 portive services associated with the housing for persons  
 10 with disabilities as authorized by section 811(b)(1), shall  
 11 be transferred to and merged with the amounts for these  
 12 purposes under this heading.

13 FLEXIBLE SUBSIDY FUND

14 (TRANSFER OF FUNDS)

15 From the Rental Housing Assistance Fund, all un-  
 16 committed balances of excess rental charges as of Sep-  
 17 tember 30, 2003, and any collections made during fiscal  
 18 year 2004, shall be transferred to the Flexible Subsidy  
 19 Fund, as authorized by section 236(g) of the National  
 20 Housing Act, as amended.

21 RENTAL HOUSING ASSISTANCE

22 (RESCISSION)

23 Up to \$303,000,000 of recaptured section 236 budget  
 24 authority resulting from prepayment of mortgages sub-  
 25 sidized under section 236 of the National Housing Act (12  
 26 U.S.C. 1715z-1) shall be rescinded in fiscal year 2004:

1 *Provided*, That the limitation otherwise applicable to the  
2 maximum payments that may be required in any fiscal  
3 year by all contracts entered into under section 236 is re-  
4 duced in fiscal year 2004 by not more than \$303,000,000  
5 in uncommitted balances of authorizations of contract au-  
6 thority provided for this purpose in prior appropriations  
7 Acts.

8 MANUFACTURED HOUSING FEES TRUST FUND

9 For necessary expenses as authorized by the National  
10 Manufactured Housing Construction and Safety Stand-  
11 ards Act of 1974, as amended (42 U.S.C. 5401 et seq.),  
12 up to \$13,000,000 to remain available until expended, to  
13 be derived from the Manufactured Housing Fees Trust  
14 Fund: *Provided*, That not to exceed the total amount ap-  
15 propriated under this heading shall be available from the  
16 general fund of the Treasury to the extent necessary to  
17 incur obligations and make expenditures pending the re-  
18 ceipt of collections to the Fund pursuant to section 620  
19 of such Act: *Provided further*, That the amount made  
20 available under this heading from the general fund shall  
21 be reduced as such collections are received during fiscal  
22 year 2004 so as to result in a final fiscal year 2004 appro-  
23 priation from the general fund estimated at not more than  
24 \$0 and fees pursuant to such section 620 shall be modified  
25 as necessary to ensure such a final fiscal year 2004 appro-  
26 priation.

1           FEDERAL HOUSING ADMINISTRATION  
2           MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT  
3           (INCLUDING TRANSFERS OF FUNDS)

4           During fiscal year 2004, commitments to guarantee  
5 loans to carry out the purposes of section 203(b) of the  
6 National Housing Act, as amended, shall not exceed a loan  
7 principal of \$185,000,000,000.

8           During fiscal year 2004, obligations to make direct  
9 loans to carry out the purposes of section 204(g) of the  
10 National Housing Act, as amended, shall not exceed  
11 \$50,000,000: *Provided*, That the foregoing amount shall  
12 be for loans to nonprofit and governmental entities in con-  
13 nection with sales of single family real properties owned  
14 by the Secretary and formerly insured under the Mutual  
15 Mortgage Insurance Fund.

16          For administrative expenses necessary to carry out  
17 the guaranteed and direct loan program, \$359,000,000,  
18 of which not to exceed \$355,000,000 shall be transferred  
19 to the appropriation for “Salaries and expenses”; and not  
20 to exceed \$4,000,000 shall be transferred to the appro-  
21 priation for “Office of Inspector General”. In addition, for  
22 administrative contract expenses, \$85,000,000, of which  
23 no less than \$20,744,000 shall be transferred to the Work-  
24 ing Capital Fund for the development of and modifications  
25 to information technology systems which serve programs  
26 or activities under “Housing programs” or “Federal

1 Housing Administration”: *Provided*, That to the extent  
 2 guaranteed loan commitments exceed \$65,500,000,000 on  
 3 or before April 1, 2004, an additional \$1,400 for adminis-  
 4 trative contract expenses shall be available for each  
 5 \$1,000,000 in additional guaranteed loan commitments  
 6 (including a pro rata amount for any amount below  
 7 \$1,000,000), but in no case shall funds made available by  
 8 this proviso exceed \$30,000,000.

9 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

10 (INCLUDING TRANSFERS OF FUNDS)

11 For the cost of guaranteed loans, as authorized by  
 12 sections 238 and 519 of the National Housing Act (12  
 13 U.S.C. 1715z-3 and 1735c), including the cost of loan  
 14 guarantee modifications, as that term is defined in section  
 15 502 of the Congressional Budget Act of 1974, as amend-  
 16 ed, \$15,000,000, to remain available until expended: *Pro-*  
 17 *vided*, That these funds are available to subsidize total  
 18 loan principal, any part of which is to be guaranteed, of  
 19 up to \$25,000,000,000.

20 Gross obligations for the principal amount of direct  
 21 loans, as authorized by sections 204(g), 207(l), 238, and  
 22 519(a) of the National Housing Act, shall not exceed  
 23 \$50,000,000, of which not to exceed \$30,000,000 shall be  
 24 for bridge financing in connection with the sale of multi-  
 25 family real properties owned by the Secretary and for-  
 26 merly insured under such Act; and of which not to exceed

1 \$20,000,000 shall be for loans to nonprofit and govern-  
2 mental entities in connection with the sale of single-family  
3 real properties owned by the Secretary and formerly in-  
4 sured under such Act.

5       In addition, for administrative expenses necessary to  
6 carry out the guaranteed and direct loan programs,  
7 \$229,000,000, of which \$209,000,000 shall be transferred  
8 to the appropriation for “Salaries and expenses”; and of  
9 which \$20,000,000 shall be transferred to the appropria-  
10 tion for “Office of Inspector General”.

11       In addition, for administrative contract expenses nec-  
12 essary to carry out the guaranteed and direct loan pro-  
13 grams, \$93,780,000, of which no less than \$16,946,000  
14 shall be transferred to the Working Capital Fund for the  
15 development of and modifications to information tech-  
16 nology systems which serve programs or activities under  
17 “Housing programs” or “Federal Housing Administra-  
18 tion”: *Provided*, That to the extent guaranteed loan com-  
19 mitments exceed \$8,426,000,000 on or before April 1,  
20 2004, an additional \$1,980 for administrative contract ex-  
21 penses shall be available for each \$1,000,000 in additional  
22 guaranteed loan commitments over \$8,426,000,000 (in-  
23 cluding a pro rata amount for any increment below  
24 \$1,000,000), but in no case shall funds made available by  
25 this proviso exceed \$14,400,000.

1       GOVERNMENT NATIONAL MORTGAGE ASSOCIATION  
2       GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN  
3               GUARANTEE PROGRAM ACCOUNT  
4               (INCLUDING TRANSFER OF FUNDS)

5       New commitments to issue guarantees to carry out  
6 the purposes of section 306 of the National Housing Act,  
7 as amended (12 U.S.C. 1721(g)), shall not exceed  
8 \$200,000,000,000, to remain available until September  
9 30, 2005.

10       For administrative expenses necessary to carry out  
11 the guaranteed mortgage-backed securities program,  
12 \$10,695,000, to be derived from the GNMA guarantees  
13 of mortgage-backed securities guaranteed loan receipt ac-  
14 count, of which not to exceed \$10,695,000, shall be trans-  
15 ferred to the appropriation for “Salaries and expenses”.

16               POLICY DEVELOPMENT AND RESEARCH  
17               RESEARCH AND TECHNOLOGY

18       For contracts, grants, and necessary expenses of pro-  
19 grams of research and studies relating to housing and  
20 urban problems, not otherwise provided for, as authorized  
21 by title V of the Housing and Urban Development Act  
22 of 1970, as amended (12 U.S.C. 1701z–1 et seq.), includ-  
23 ing carrying out the functions of the Secretary under sec-  
24 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,  
25 \$47,000,000, to remain available until September 30,  
26 2005: *Provided*, That of the total amount provided under



1 this heading, \$7,500,000 shall be for the Partnership for  
2 Advancing Technology in Housing (PATH) Initiative.

3 FAIR HOUSING AND EQUAL OPPORTUNITY

4 FAIR HOUSING ACTIVITIES

5 For contracts, grants, and other assistance, not oth-  
6 erwise provided for, as authorized by title VIII of the Civil  
7 Rights Act of 1968, as amended by the Fair Housing  
8 Amendments Act of 1988, and section 561 of the Housing  
9 and Community Development Act of 1987, as amended,  
10 \$46,000,000, to remain available until September 30,  
11 2005, of which \$20,250,000 shall be to carry out activities  
12 pursuant to such section 561: *Provided*, That no funds  
13 made available under this heading shall be used to lobby  
14 the executive or legislative branches of the Federal Gov-  
15 ernment in connection with a specific contract, grant or  
16 loan.

17 OFFICE OF LEAD HAZARD CONTROL

18 LEAD HAZARD REDUCTION

19 For the Lead Hazard Reduction Program, as author-  
20 ized by section 1011 of the Residential Lead-Based Paint  
21 Hazard Reduction Act of 1992, \$130,000,000, to remain  
22 available until September 30, 2005, of which \$10,000,000  
23 shall be for the Healthy Homes Initiative, pursuant to sec-  
24 tions 501 and 502 of the Housing and Urban Develop-  
25 ment Act of 1970 that shall include research, studies, test-

ing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards.

## MANAGEMENT AND ADMINISTRATION

### SALARIES AND EXPENSES

#### (INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$25,000 for official reception and representation expenses, \$1,122,130,000, of which \$564,000,000 shall be provided from the various funds of the Federal Housing Administration, \$10,695,000 shall be provided from funds of the Government National Mortgage Association, \$150,000 shall be provided by transfer from the “Native American housing block grants” account, \$250,000 shall be provided by transfer from the “Indian housing loan guarantee fund program” account and \$35,000 shall be transferred from the “Native Hawaiian housing loan guarantee fund” account: *Provided*, That funds made available under this heading shall only be allocated in the manner specified in the report accompanying this Act unless the Committees on Appropriations of both the House of Representatives

1 and the Senate are notified of any changes in an operating  
2 plan or reprogramming: *Provided further*, That no official  
3 or employee of the Department shall be designated as an  
4 allotment holder unless the Office of the Chief Financial  
5 Officer (OCFO) has determined that such allotment hold-  
6 er has implemented an adequate system of funds control  
7 and has received training in funds control procedures and  
8 directives: *Provided further*, That the Chief Financial Offi-  
9 cer shall establish positive control of and maintain ade-  
10 quate systems of accounting for appropriations and other  
11 available funds as required by 31 U.S.C. 1514: *Provided*  
12 *further*, That for purposes of funds control and deter-  
13 mining whether a violation exists under the Anti-Defi-  
14 ciency Act (31 U.S.C. 1341 et seq.), the point of obligation  
15 shall be the executed agreement or contract, except with  
16 respect to insurance and guarantee programs, certain  
17 types of salaries and expenses funding, and incremental  
18 funding that is authorized under an executed agreement  
19 or contract, and shall be designated in the approved funds  
20 control plan: *Provided further*, That the Chief Financial  
21 Officer shall: (a) appoint qualified personnel to conduct  
22 investigations of potential or actual violations; (b) estab-  
23 lish minimum training requirements and other qualifica-  
24 tions for personnel that may be appointed to conduct in-  
25 vestigations; (c) establish guidelines and timeframes for

1 the conduct and completion of investigations; (d) prescribe  
2 the content, format and other requirements for the sub-  
3 mission of final reports on violations; and (e) prescribe  
4 such additional policies and procedures as may be required  
5 for conducting investigations of, and administering, proc-  
6 essing, and reporting on, potential and actual violations  
7 of the Anti-Deficiency Act and all other statutes and regu-  
8 lations governing the obligation and expenditure of funds  
9 made available in this or any other Act: *Provided further*,  
10 That the Secretary shall fill 7 out of 10 vacancies at the  
11 GS-14 and GS-15 levels until the total number of GS-  
12 14 and GS-15 positions in the Department has been re-  
13 duced from the number of GS-14 and GS-15 positions  
14 on the date of enactment of Public Law 106-377 by 2½  
15 percent: *Provided further*, That the Secretary shall submit  
16 a staffing plan for the Department by November 15, 2003.

17       The tenth proviso under this heading in the Depart-  
18 ments of Veterans Affairs and Housing and Urban Devel-  
19 opment, and Independent Agencies Appropriations Act,  
20 2003, is amended by striking “the purpose of” and insert-  
21 ing “purposes of funds control and” and before the colon  
22 insert the following “, except with respect to insurance and  
23 guarantee programs, certain types of salaries and ex-  
24 penses funding, and incremental funding that is author-  
25 ized under an executed agreement or contract”.

## 1 WORKING CAPITAL FUND

2 For additional capital for the Working Capital Fund  
3 (42 U.S.C. 3535) for the development of, modifications  
4 to, and infrastructure for Department-wide information  
5 technology systems, and for the continuing operation of  
6 both Department-wide and program-specific information  
7 systems, \$240,000,000, to remain available until Sep-  
8 tember 30, 2005: *Provided*, That any amounts transferred  
9 to this Fund under this Act shall remain available until  
10 expended.

## 11 OFFICE OF INSPECTOR GENERAL

## 12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of the Office of Inspector  
14 General in carrying out the Inspector General Act of 1978,  
15 as amended, \$100,080,000, of which \$24,000,000 shall be  
16 provided from the various funds of the Federal Housing  
17 Administration: *Provided*, That the Inspector General  
18 shall have independent authority over all personnel issues  
19 within this office: *Provided further*, That no less than  
20 \$300,000 shall be transferred to the Working Capital  
21 Fund for the development of and modifications to informa-  
22 tion technology systems for the Office of Inspector Gen-  
23 eral.

## 1 CONSOLIDATED FEE FUND

## 2 (RESCISSION)

3 All unobligated balances remaining available from  
4 fees and charges under section 7(j) of the Department of  
5 Housing and Urban Development Act on October 1, 2003  
6 are rescinded.

## 7 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

## 8 SALARIES AND EXPENSES

## 9 (INCLUDING TRANSFER OF FUNDS)

10 For carrying out the Federal Housing Enterprises  
11 Financial Safety and Soundness Act of 1992, including  
12 not to exceed \$500 for official reception and representa-  
13 tion expenses, \$32,415,000, to remain available until ex-  
14 pended, to be derived from the Federal Housing Enter-  
15 prises Oversight Fund: *Provided*, That not to exceed such  
16 amount shall be available from the general fund of the  
17 Treasury to the extent necessary to incur obligations and  
18 make expenditures pending the receipt of collections to the  
19 Fund: *Provided further*, That the general fund amount  
20 shall be reduced as collections are received during the fis-  
21 cal year so as to result in a final appropriation from the  
22 general fund estimated at not more than \$0.

## 23 ADMINISTRATIVE PROVISIONS

24 SEC. 201. Fifty percent of the amounts of budget au-  
25 thority, or in lieu thereof 50 percent of the cash amounts  
26 associated with such budget authority, that are recaptured

1 from projects described in section 1012(a) of the Stewart  
2 B. McKinney Homeless Assistance Amendments Act of  
3 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the  
4 case of cash, shall be remitted to the Treasury, and such  
5 amounts of budget authority or cash recaptured and not  
6 rescinded or remitted to the Treasury shall be used by  
7 State housing finance agencies or local governments or  
8 local housing agencies with projects approved by the Sec-  
9 retary of Housing and Urban Development for which set-  
10 tlement occurred after January 1, 1992, in accordance  
11 with such section. Notwithstanding the previous sentence,  
12 the Secretary may award up to 15 percent of the budget  
13 authority or cash recaptured and not rescinded or remitted  
14 to the Treasury to provide project owners with incentives  
15 to refinance their project at a lower interest rate.

16 SEC. 202. None of the amounts made available under  
17 this Act may be used during fiscal year 2003 to investigate  
18 or prosecute under the Fair Housing Act any otherwise  
19 lawful activity engaged in by one or more persons, includ-  
20 ing the filing or maintaining of a non-frivolous legal ac-  
21 tion, that is engaged in solely for the purpose of achieving  
22 or preventing action by a Government official or entity,  
23 or a court of competent jurisdiction.

24 SEC. 203. (a) Notwithstanding section 854(c)(1)(A)  
25 of the AIDS Housing Opportunity Act (42 U.S.C.

1 12903(c)(1)(A)), from any amounts made available under  
2 this title for fiscal year 2004 that are allocated under such  
3 section, the Secretary of Housing and Urban Development  
4 shall allocate and make a grant, in the amount determined  
5 under subsection (b), for any State that—

6 (1) received an allocation in a prior fiscal year  
7 under clause (ii) of such section; and

8 (2) is not otherwise eligible for an allocation for  
9 fiscal year 2004 under such clause (ii) because the  
10 areas in the State outside of the metropolitan statis-  
11 tical areas that qualify under clause (i) in fiscal year  
12 2004 do not have the number of cases of acquired  
13 immunodeficiency syndrome (AIDS) required under  
14 such clause.

15 (b) The amount of the allocation and grant for any  
16 State described in subsection (a) shall be an amount based  
17 on the cumulative number of AIDS cases in the areas of  
18 that State that are outside of metropolitan statistical  
19 areas that qualify under clause (i) of such section  
20 854(c)(1)(A) in fiscal year 2004, in proportion to AIDS  
21 cases among cities and States that qualify under clauses  
22 (i) and (ii) of such section and States deemed eligible  
23 under subsection (a).

24 SEC. 204. (a) Section 225(a) of the Departments of  
25 Veterans Affairs and Housing and Urban Development,



1 and Independent Agencies Appropriations Act, 2000, Pub-  
2 lic Law 106–74 (113 Stat. 1076), is amended by striking  
3 “year 2000, and the amounts that would otherwise be allo-  
4 cated for fiscal year 2001 and fiscal year 2002”, and in-  
5 serting “years 2000, 2001, 2002, 2003, and 2004”.

6 (b) Notwithstanding any other provision of law, the  
7 Secretary of Housing and Urban Development shall allo-  
8 cate to Wake County, North Carolina, the amounts that  
9 otherwise would be allocated for fiscal year 2004 under  
10 section 854(c) of the AIDS Housing Opportunity Act (42  
11 U.S.C. 12903(c)) to the City of Raleigh, North Carolina,  
12 on behalf of the Raleigh-Durham-Chapel Hill, North Caro-  
13 lina Metropolitan Statistical Area. Any amounts allocated  
14 to Wake County shall be used to carry out eligible activi-  
15 ties under section 855 of such Act (42 U.S.C. 12904)  
16 within such metropolitan statistical area.

17 SEC. 205. (a) During fiscal year 2004, in the provi-  
18 sion of rental assistance under section 8(o) of the United  
19 States Housing Act of 1937 (42 U.S.C. 1437f(o)) in con-  
20 nection with a program to demonstrate the economy and  
21 effectiveness of providing such assistance for use in as-  
22 sisted living facilities that is carried out in the counties  
23 of the State of Michigan specified in subsection (b) of this  
24 section, notwithstanding paragraphs (3) and (18)(B)(iii)  
25 of such section 8(o), a family residing in an assisted living

1 facility in any such county, on behalf of which a public  
2 housing agency provides assistance pursuant to section  
3 8(o)(18) of such Act, may be required, at the time the  
4 family initially receives such assistance, to pay rent in an  
5 amount exceeding 40 percent of the monthly adjusted in-  
6 come of the family by such a percentage or amount as  
7 the Secretary of Housing and Urban Development deter-  
8 mines to be appropriate.

9 (b) The counties specified in this subsection are Oak-  
10 land County, Macomb County, Wayne County, and  
11 Washtenaw County, in the State of Michigan.

12 SEC. 206. Except as explicitly provided in law, any  
13 grant, cooperative agreement or other assistance made  
14 pursuant to title II of this Act shall be made on a competi-  
15 tive basis and in accordance with section 102 of the De-  
16 partment of Housing and Urban Development Reform Act  
17 of 1989.

18 SEC. 207. Funds of the Department of Housing and  
19 Urban Development subject to the Government Corpora-  
20 tion Control Act or section 402 of the Housing Act of  
21 1950 shall be available, without regard to the limitations  
22 on administrative expenses, for legal services on a contract  
23 or fee basis, and for utilizing and making payment for  
24 services and facilities of the Federal National Mortgage  
25 Association, Government National Mortgage Association,

1 Federal Home Loan Mortgage Corporation, Federal Fi-  
2 nancing Bank, Federal Reserve banks or any member  
3 thereof, Federal Home Loan banks, and any insured bank  
4 within the meaning of the Federal Deposit Insurance Cor-  
5 poration Act, as amended (12 U.S.C. 1811–1831).

6 SEC. 208. Unless otherwise provided for in this Act  
7 or through a reprogramming of funds, no part of any ap-  
8 propriation for the Department of Housing and Urban  
9 Development shall be available for any program, project  
10 or activity in excess of amounts set forth in the budget  
11 estimates submitted to Congress.

12 SEC. 209. Corporations and agencies of the Depart-  
13 ment of Housing and Urban Development which are sub-  
14 ject to the Government Corporation Control Act, as  
15 amended, are hereby authorized to make such expendi-  
16 tures, within the limits of funds and borrowing authority  
17 available to each such corporation or agency and in ac-  
18 cordance with law, and to make such contracts and com-  
19 mitments without regard to fiscal year limitations as pro-  
20 vided by section 104 of such Act as may be necessary in  
21 carrying out the programs set forth in the budget for 2003  
22 for such corporation or agency except as hereinafter pro-  
23 vided: *Provided*, That collections of these corporations and  
24 agencies may be used for new loan or mortgage purchase  
25 commitments only to the extent expressly provided for in

1 this Act (unless such loans are in support of other forms  
2 of assistance provided for in this or prior appropriations  
3 Acts), except that this proviso shall not apply to the mort-  
4 gage insurance or guaranty operations of these corpora-  
5 tions, or where loans or mortgage purchases are necessary  
6 to protect the financial interest of the United States Gov-  
7 ernment.

8       SEC. 210. None of the funds provided in this title  
9 for technical assistance, training, or management improve-  
10 ments may be obligated or expended unless HUD provides  
11 to the Committees on Appropriations a description of each  
12 proposed activity and a detailed budget estimate of the  
13 costs associated with each program, project or activity as  
14 part of the Budget Justifications. For fiscal year 2004,  
15 HUD shall transmit this information to the Committees  
16 by November 15, 2003 for 30 days of review.

17       SEC. 211. A public housing agency or such other enti-  
18 ty that administers Federal housing assistance in the  
19 states of Alaska, Iowa, and Mississippi shall not be re-  
20 quired to include a resident of public housing or a recipi-  
21 ent of assistance provided under section 8 of the United  
22 States Housing Act of 1937 on the board of directors or  
23 a similar governing board of such agency or entity as re-  
24 quired under section (2)(b) of such Act. Each public hous-  
25 ing agency or other entity that administers Federal hous-

1 ing assistance under section 8 in the states of Alaska,  
2 Iowa and Mississippi shall establish an advisory board of  
3 not less than 6 residents of public housing or recipients  
4 of section 8 assistance to provide advice and comment to  
5 the public housing agency or other administering entity  
6 on issues related to public housing and section 8. Such  
7 advisory board shall meet not less than quarterly.

8       SEC. 212. The Secretary of Housing and Urban De-  
9 velopment shall provide quarterly reports to the House  
10 and Senate Committees on Appropriations regarding all  
11 uncommitted, unobligated, recaptured and excess funds in  
12 each program and activity within the jurisdiction of the  
13 Department and shall submit additional, updated budget  
14 information to these Committees upon request.

15       TITLE III—INDEPENDENT AGENCIES

16       AMERICAN BATTLE MONUMENTS COMMISSION

17               SALARIES AND EXPENSES

18       For necessary expenses, not otherwise provided for,  
19 of the American Battle Monuments Commission, including  
20 the acquisition of land or interest in land in foreign coun-  
21 tries; purchases and repair of uniforms for caretakers of  
22 national cemeteries and monuments outside of the United  
23 States and its territories and possessions; rent of office  
24 and garage space in foreign countries; purchase (one for  
25 replacement only) and hire of passenger motor vehicles;

1 and insurance of official motor vehicles in foreign coun-  
2 tries, when required by law of such countries, \$47,276,000  
3 (of which \$10,000,000 shall not become available until  
4 Septmeber 1, 2004), to remain available until expended.

5 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD  
6 SALARIES AND EXPENSES

7 For necessary expenses in carrying out activities pur-  
8 suant to section 112(r)(6) of the Clean Air Act, as amend-  
9 ed, including hire of passenger vehicles, uniforms or allow-  
10 ances therefore, as authorized by 5 U.S.C. 5901–5902,  
11 and for services authorized by 5 U.S.C. 3109 but at rates  
12 for individuals not to exceed the per diem equivalent to  
13 the maximum rate payable for senior level positions under  
14 5 U.S.C. 5376, \$8,550,000: *Provided*, That the Chemical  
15 Safety and Hazard Investigation Board shall have not  
16 more than three career Senior Executive Service positions.

17 EMERGENCY FUND

18 For necessary expenses of the Chemical Safety and  
19 Hazard Investigation Board for accident investigations  
20 not otherwise provided for, \$450,000, to remain available  
21 until expended.

1                   DEPARTMENT OF THE TREASURY  
2    COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS  
3    COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS  
4                   FUND PROGRAM ACCOUNT

5       To carry out the Community Development Banking  
6 and Financial Institutions Act of 1994, including services  
7 authorized by 5 U.S.C. 3109, but at rates for individuals  
8 not to exceed the per diem rate equivalent to the rate for  
9 ES-3, \$51,000,000, to remain available until September  
10 30, 2005, of which \$3,000,000 shall be for financial assist-  
11 ance, technical assistance, training and outreach programs  
12 designed to benefit Native American, Native Hawaiian,  
13 and Alaskan Native communities and provided primarily  
14 through qualified community development lender organi-  
15 zations with experience and expertise in community devel-  
16 opment banking and lending in Indian country, Native  
17 American organizations, tribes and tribal organizations  
18 and other suitable providers, and up to \$13,000,000 may  
19 be used for administrative expenses, including administra-  
20 tion of the New Markets Tax Credit, up to \$6,000,000  
21 may be used for the cost of direct loans, and up to  
22 \$250,000 may be used for administrative expenses to  
23 carry out the direct loan program: *Provided*, That the cost  
24 of direct loans, including the cost of modifying such loans,  
25 shall be as defined in section 502 of the Congressional

1 Budget Act of 1974, as amended: *Provided further*, That  
2 these funds are available to subsidize gross obligations for  
3 the principal amount of direct loans not to exceed  
4 \$11,000,000.

5 CONSUMER PRODUCT SAFETY COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Consumer Product  
8 Safety Commission, including hire of passenger motor ve-  
9 hicles, services as authorized by 5 U.S.C. 3109, but at  
10 rates for individuals not to exceed the per diem rate equiv-  
11 alent to the maximum rate payable under 5 U.S.C. 5376,  
12 purchase of nominal awards to recognize non-Federal offi-  
13 cials' contributions to Commission activities, and not to  
14 exceed \$500 for official reception and representation ex-  
15 penses, \$60,000,000: *Provided*, That up to \$1,000,000 is  
16 for purposes of carrying out the Inspector General Act of  
17 1978.

18 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

19 NATIONAL AND COMMUNITY SERVICE PROGRAMS

20 OPERATING EXPENSES

21 For necessary expenses for the Corporation for Na-  
22 tional and Community Service (the "Corporation") in car-  
23 rying out programs, activities, and initiatives under the  
24 National and Community Service Act of 1990 (the "Act")  
25 (42 U.S.C. 12501 et seq.), \$363,452,000, to remain avail-



1 able until September 30, 2005: *Provided*, That not more  
2 than \$30,500,000 shall be available for administrative ex-  
3 penses authorized under section 501(a)(4): *Provided fur-*  
4 *ther*, That not more than \$2,500 shall be for official recep-  
5 tion and representation expenses: *Provided further*, That  
6 \$244,352,000 of the amount provided under this heading  
7 shall be available for grants under the National Service  
8 Trust program authorized under subtitle C of title I of  
9 the Act (42 U.S.C. 12571 et seq.) (relating to activities  
10 including the AmeriCorps program), and for grants to or-  
11 ganizations operating projects under the AmeriCorps Edu-  
12 cation Awards Program (without regard to the require-  
13 ments of sections 121(d) and (e), 131(e), 132, and 140(a),  
14 (d), and (e) of the Act): of which not more than  
15 \$50,000,000 may be used to administer, reimburse, or  
16 support any national service program authorized under  
17 section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)):  
18 *Provided further*, That to the maximum extent feasible,  
19 funds appropriated under subtitle C of title I of the Act  
20 shall be provided in a manner that is consistent with the  
21 recommendations of peer review panels in order to ensure  
22 that priority is given to programs that demonstrate qual-  
23 ity, innovation, replicability, and sustainability: *Provided*  
24 *further*, That not more than \$10,000,000 of the funds  
25 made available under this heading shall be for the Points

1 of Light Foundation for activities authorized under title  
2 III of the Act (42 U.S.C. 12661 et seq.), of which not  
3 more than \$2,500,000 may be used to support an endow-  
4 ment fund, the corpus of which shall remain intact and  
5 the interest income from which shall be used to support  
6 activities described in title III of the Act, provided that  
7 the Foundation may invest the corpus and income in fed-  
8 erally insured bank savings accounts or comparable inter-  
9 est bearing accounts, certificates of deposit, money market  
10 funds, mutual funds, obligations of the United States, and  
11 other market instruments and securities but not in real  
12 estate investments: *Provided further*, That no funds shall  
13 be available for national service programs run by Federal  
14 agencies authorized under section 121(b) of such Act (42  
15 U.S.C. 12571(b)): *Provided further*, That not less than  
16 \$24,000,000 of the funds made available under this head-  
17 ing shall be available for the Civilian Community Corps  
18 authorized under subtitle E of title I of the Act (42 U.S.C.  
19 12611 et seq.): *Provided further*, That not more than  
20 \$40,000,000 shall be available for school-based and com-  
21 munity-based service-learning programs authorized under  
22 subtitle B of title I of the Act (42 U.S.C. 12521 et seq.):  
23 *Provided further*, That not more than \$6,100,000 shall be  
24 available for quality and innovation activities authorized  
25 under subtitle H of title I of the Act (42 U.S.C. 12853

1 et seq.): *Provided further*, That not more than \$5,000,000  
2 of the funds made available under this heading shall be  
3 made available to America's Promise—The Alliance for  
4 Youth, Inc. only to support efforts to mobilize individuals,  
5 groups, and organizations to build and strengthen the  
6 character and competence of the Nation's youth: *Provided*  
7 *further*, That not more than \$3,500,000 shall be available  
8 for audits and other evaluations authorized under section  
9 179 of the Act (42 U.S.C. 12639).

10 NATIONAL SERVICE TRUST

11 For payment of educational awards authorized under  
12 subtitle D of title I of the National Community Service  
13 Act of 1990 (42 U.S.C. 12601), \$110,771,000, to remain  
14 available until expended; of which \$5,000,000 shall be  
15 available for national service scholarships for high school  
16 students performing community service, and \$10,000,000  
17 shall be held in reserve as defined in Public Law 108–  
18 45: *Provided*, That the Corporation for National and Com-  
19 munity Service shall enroll no more than 55,000 volun-  
20 teers in the National Service Trust with the funds pro-  
21 vided in this Act.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector  
24 General in carrying out the Inspector General Act of 1978,  
25 as amended, \$6,000,000, to remain available until Sep-  
26 tember 30, 2005.

## 1 ADMINISTRATIVE PROVISIONS

2 Notwithstanding any other provision of law, the term  
3 “qualified student loan” with respect to national service  
4 education awards shall mean any loan determined by an  
5 institution of higher education to be necessary to cover  
6 a student’s cost of attendance at such institution and  
7 made, insured, or guaranteed directly to a student by a  
8 State agency, in addition to other meanings under section  
9 148(b)(7) of the National and Community Service Act.

10 Notwithstanding any other provision of law, funds  
11 made available under section 129(d)(5)(B) of the National  
12 and Community Service Act to assist entities in placing  
13 applicants who are individuals with disabilities may be  
14 provided to any entity that receives a grant under section  
15 121 of the Act.

## 16 U.S. COURT OF APPEALS FOR VETERANS CLAIMS

## 17 SALARIES AND EXPENSES

18 For necessary expenses for the operation of the  
19 United States Court of Appeals for Veterans Claims as  
20 authorized by 38 U.S.C. 7251–7298, \$15,938,000 of  
21 which \$1,175,000 shall be available for the purpose of pro-  
22 viding financial assistance as described, and in accordance  
23 with the process and reporting procedures set forth, under  
24 this heading in Public Law 102–229.

## 1 DEPARTMENT OF DEFENSE—CIVIL

## 2 CEMETERIAL EXPENSES, ARMY

## 3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, for  
5 maintenance, operation, and improvement of Arlington  
6 National Cemetery and Soldiers' and Airmen's Home Na-  
7 tional Cemetery, including the purchase of one passenger  
8 motor vehicle for replacement only, and not to exceed  
9 \$1,000 for official reception and representation expenses,  
10 \$25,961,000, to remain available until expended.

## 11 DEPARTMENT OF HEALTH AND HUMAN SERVICES

## 12 NATIONAL INSTITUTES OF HEALTH

## 13 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

## 14 SCIENCES

15 For necessary expenses for the National Institute of  
16 Environmental Health Sciences in carrying out activities  
17 set forth in section 311(a) of the Comprehensive Environ-  
18 mental Response, Compensation, and Liability Act of  
19 1980, as amended, and section 126(g) of the Superfund  
20 Amendments and Reauthorization Act of 1986,  
21 \$80,000,000.

**HR 2861 RH**

1 CERCLA: *Provided further*, That none of the funds appro-  
2 priated under this heading shall be available for ATSDR  
3 to issue in excess of 40 toxicological profiles pursuant to  
4 section 104(i) of CERCLA during fiscal year 2004, and  
5 existing profiles may be updated as necessary.

6 ENVIRONMENTAL PROTECTION AGENCY

7 SCIENCE AND TECHNOLOGY

8 For science and technology, including research and  
9 development activities, which shall include research and  
10 development activities under the Comprehensive Environ-  
11 mental Response, Compensation, and Liability Act of  
12 1980, as amended; necessary expenses for personnel and  
13 related costs and travel expenses, including uniforms, or  
14 allowances therefor, as authorized by 5 U.S.C. 5901–  
15 5902; services as authorized by 5 U.S.C. 3109, but at  
16 rates for individuals not to exceed the per diem rate equiv-  
17 alent to the maximum rate payable for senior level posi-  
18 tions under 5 U.S.C. 5376; procurement of laboratory  
19 equipment and supplies; other operating expenses in sup-  
20 port of research and development; construction, alteration,  
21 repair, rehabilitation, and renovation of facilities, not to  
22 exceed \$75,000 per project, \$767,115,000 which shall re-  
23 main available until September 30, 2005.

24 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

25 For environmental programs and management, in-  
26 cluding necessary expenses, not otherwise provided for, for

1 personnel and related costs and travel expenses, including  
2 uniforms, or allowances therefor, as authorized by 5  
3 U.S.C. 5901–5902; services as authorized by 5 U.S.C.  
4 3109, but at rates for individuals not to exceed the per  
5 diem rate equivalent to the maximum rate payable for sen-  
6 ior level positions under 5 U.S.C. 5376; hire of passenger  
7 motor vehicles; hire, maintenance, and operation of air-  
8 craft; purchase of reprints; library memberships in soci-  
9 eties or associations which issue publications to members  
10 only or at a price to members lower than to subscribers  
11 who are not members; construction, alteration, repair, re-  
12 habilitation, and renovation of facilities, not to exceed  
13 \$75,000 per project; and not to exceed \$9,000 for official  
14 reception and representation expenses, \$2,192,552,000,  
15 which shall remain available until September 30, 2005, in-  
16 cluding administrative costs of the brownfields program  
17 under the Small Business Liability Relief and Brownfields  
18 Revitalization Act of 2002.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector  
21 General in carrying out the provisions of the Inspector  
22 General Act of 1978, as amended, and for construction,  
23 alteration, repair, rehabilitation, and renovation of facili-  
24 ties, not to exceed \$75,000 per project, \$36,808,000, to  
25 remain available until September 30, 2005.



## 1 BUILDINGS AND FACILITIES

2 For construction, repair, improvement, extension, al-  
3 teration, and purchase of fixed equipment or facilities of,  
4 or for use by, the Environmental Protection Agency,  
5 \$42,918,000, to remain available until expended.

## 6 HAZARDOUS SUBSTANCE SUPERFUND

## 7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses to carry out the Comprehen-  
9 sive Environmental Response, Compensation, and Liabil-  
10 ity Act of 1980 (CERCLA), as amended, including sec-  
11 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.  
12 9611), and for construction, alteration, repair, rehabilita-  
13 tion, and renovation of facilities, not to exceed \$75,000  
14 per project; \$1,275,000,000, to remain available until ex-  
15 pended, consisting of \$200,000,000, as authorized by sec-  
16 tion 517(a) of the Superfund Amendments and Reauthor-  
17 ization Act of 1986 (SARA), as amended, and  
18 \$1,075,000,000 as a payment from general revenues to  
19 the Hazardous Substance Superfund for purposes as au-  
20 thorized by section 517(b) of SARA, as amended: *Pro-*  
21 *vided*, That funds appropriated under this heading may  
22 be allocated to other Federal agencies in accordance with  
23 section 111(a) of CERCLA: *Provided further*, That of the  
24 funds appropriated under this heading, \$13,214,000 shall  
25 be transferred to the “Office of Inspector General” appro-  
26 priation to remain available until September 30, 2005,

1 and \$44,697,000 shall be transferred to the “Science and  
2 technology” appropriation to remain available until Sep-  
3 tember 30, 2005.

4 LEAKING UNDERGROUND STORAGE TANK TRUST FUND

5 For necessary expenses to carry out leaking under-  
6 ground storage tank cleanup activities authorized by sec-  
7 tion 205 of the Superfund Amendments and Reauthoriza-  
8 tion Act of 1986, and for construction, alteration, repair,  
9 rehabilitation, and renovation of facilities, not to exceed  
10 \$75,000 per project, \$72,545,000, to remain available  
11 until expended.

12 OIL SPILL RESPONSE

13 For expenses necessary to carry out the Environ-  
14 mental Protection Agency’s responsibilities under the Oil  
15 Pollution Act of 1990, \$16,209,000, to be derived from  
16 the Oil Spill Liability trust fund, to remain available until  
17 expended.

18 STATE AND TRIBAL ASSISTANCE GRANTS

19 For environmental programs and infrastructure as-  
20 sistance, including capitalization grants for State revolv-  
21 ing funds and performance partnership grants,  
22 \$3,601,950,000, to remain available until expended, of  
23 which \$1,200,000,000 shall be for making capitalization  
24 grants for the Clean Water State Revolving Funds under  
25 title VI of the Federal Water Pollution Control Act, as  
26 amended (the “Act”), of which up to \$68,000,000 shall

1 be available for loans, including interest free loans as au-  
2 thorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-  
3 municipal, interstate, or State agencies or nonprofit enti-  
4 ties for projects that provide treatment for or that mini-  
5 mize sewage or stormwater discharges using one or more  
6 approaches which include, but are not limited to, decen-  
7 tralized or distributed stormwater controls, decentralized  
8 wastewater treatment, low-impact development practices,  
9 conservation easements, stream buffers, or wetlands res-  
10 toration; \$850,000,000 shall be for capitalization grants  
11 for the Drinking Water State Revolving Funds under sec-  
12 tion 1452 of the Safe Drinking Water Act, as amended,  
13 except that, notwithstanding section 1452(n) of the Safe  
14 Drinking Water Act, as amended, none of the funds made  
15 available under this heading in this Act, or in previous  
16 appropriations Acts, shall be reserved by the Adminis-  
17 trator for health effects studies on drinking water con-  
18 taminants; \$50,000,000 shall be for architectural, engi-  
19 neering, planning, design, construction and related activi-  
20 ties in connection with the construction of high priority  
21 water and wastewater facilities in the area of the United  
22 States-Mexico Border, after consultation with the appro-  
23 priate border commission; \$25,000,000 shall be for grants  
24 to the State of Alaska to address drinking water and  
25 wastewater infrastructure needs of rural and Alaska Na-

1 tive Villages; \$195,000,000 shall be for making grants for  
2 the construction of drinking water, wastewater and storm  
3 water infrastructure and for water quality protection in  
4 accordance with the terms and conditions specified for  
5 such grants in the report accompanying this legislation;  
6 \$8,250,000 for grants for construction of alternative de-  
7 centralized wastewater facilities under the National De-  
8 centralized Wastewater Demonstration program, in ac-  
9 cordance with the terms and conditions specified in the  
10 report accompanying this legislation; \$93,500,000 shall be  
11 to carry out section 104(k) of the Comprehensive Environ-  
12 mental Response, Compensation, and Liability Act of  
13 1980 (CERCLA), as amended, including grants, inter-  
14 agency agreements, and associated program support costs;  
15 and \$1,180,200,000 shall be for grants, including associ-  
16 ated program support costs, to States, federally recognized  
17 tribes, interstate agencies, tribal consortia, and air pollu-  
18 tion control agencies for multi-media or single media pol-  
19 lution prevention, control and abatement and related ac-  
20 tivities, including activities pursuant to the provisions set  
21 forth under this heading in Public Law 104–134, and for  
22 making grants under section 103 of the Clean Air Act for  
23 particulate matter monitoring and data collection activi-  
24 ties, of which and subject to terms and conditions specified  
25 by the Administrator, \$50,000,000 shall be for carrying

1 out section 128 of CERCLA, as amended, and  
2 \$20,000,000 shall be for National Environmental Infor-  
3 mation Exchange Network grants, including associated  
4 program support costs: *Provided*, That for fiscal year  
5 2004, State authority under section 302(a) of Public Law  
6 104–182 shall remain in effect: *Provided further*, That  
7 notwithstanding section 603(d)(7) of the Act, the limita-  
8 tion on the amounts in a State water pollution control re-  
9 volving fund that may be used by a State to administer  
10 the fund shall not apply to amounts included as principal  
11 in loans made by such fund in fiscal year 2004 and prior  
12 years where such amounts represent costs of admin-  
13 istering the fund to the extent that such amounts are or  
14 were deemed reasonable by the Administrator, accounted  
15 for separately from other assets in the fund, and used for  
16 eligible purposes of the fund, including administration:  
17 *Provided further*, That for fiscal year 2004, and notwith-  
18 standing section 518(f) of the Act, the Administrator is  
19 authorized to use the amounts appropriated for any fiscal  
20 year under section 319 of that Act to make grants to In-  
21 dian tribes pursuant to sections 319(h) and 518(e) of that  
22 Act: *Provided further*, That for fiscal year 2004, notwith-  
23 standing the limitation on amounts in section 518(e) of  
24 the Act, up to a total of 1½ percent of the funds appro-  
25 priated for State Revolving Funds under title VI of that

1 Act may be reserved by the Administrator for grants  
2 under section 518(c) of such Act: *Provided further*, That  
3 no funds provided by this legislation to address the water,  
4 wastewater and other critical infrastructure needs of the  
5 colonias in the United States along the United States-  
6 Mexico border shall be made available to a county or mu-  
7 nicipal government unless that government has established  
8 an enforceable local ordinance, or other zoning rule, which  
9 prevents in that jurisdiction the development or construc-  
10 tion of any additional colonia areas, or the development  
11 within an existing colonia the construction of any new  
12 home, business, or other structure which lacks water,  
13 wastewater, or other necessary infrastructure: *Provided*  
14 *further*, That the referenced statement of the managers  
15 under this heading in Public Law 108–7, item number  
16 383, is deemed to be amended by adding after the word  
17 “overflow”, “and water infrastructure”: *Provided further*,  
18 That the referenced statement of the managers under this  
19 heading in Public Law 108–07, item number 255, is  
20 deemed to be amended by inserting “water and” after the  
21 words “Mississippi for”: *Provided further*, That the ref-  
22 erenced statement of the managers under this heading in  
23 Public Law 108–07, item number 256, is deemed to be  
24 amended by adding after the word “for”, “water and”.

## ADMINISTRATIVE PROVISIONS

For fiscal year 2004, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 31040, or any similar proposals. The Environmental Protection Agency may proceed with the development of such a rule.

The Environmental Protection Agency may not use any of the funds appropriated or otherwise made available by this Act to implement the Registration Fee system codified at 40 Code of Federal Regulations Subpart U

1 (sections 152.400 et seq.) if its authority to collect mainte-  
 2 nance fees pursuant to FIFRA section 4(i)(5) is extended  
 3 for at least 1 year beyond September 30, 2003.

4 Section 136a–1 of title 7, U.S.C. is amended—

5 (1) in subsection (i)(5)(C)(i) by striking  
 6 “2003” and inserting “2004”;

7 (2) in subsection (i)(5)(H) by striking “2003”  
 8 and inserting “2004”;

9 (3) in subsection (i)(6) by striking “2003” and  
 10 inserting “2004”; and

11 (4) in subsection (k)(3)(A) by striking “2003”  
 12 and inserting “2004”.

13 EXECUTIVE OFFICE OF THE PRESIDENT

14 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

15 For necessary expenses of the Office of Science and  
 16 Technology Policy, in carrying out the purposes of the Na-  
 17 tional Science and Technology Policy, Organization, and  
 18 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire  
 19 of passenger motor vehicles, and services as authorized by  
 20 5 U.S.C. 3109, not to exceed \$2,500 for official reception  
 21 and representation expenses, and rental of conference  
 22 rooms in the District of Columbia, \$7,027,000.

23 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF  
 24 ENVIRONMENTAL QUALITY

25 For necessary expenses to continue functions as-  
 26 signed to the Council on Environmental Quality and Office



1 of Environmental Quality pursuant to the National Envi-  
2 ronmental Policy Act of 1969, the Environmental Quality  
3 Improvement Act of 1970, and Reorganization Plan No.  
4 1 of 1977, and not to exceed \$750 for official reception  
5 and representation expenses, \$3,238,000: *Provided*, That  
6 notwithstanding section 202 of the National Environ-  
7 mental Policy Act of 1970, the Council shall consist of  
8 one member, appointed by the President, by and with the  
9 advice and consent of the Senate, serving as chairman and  
10 exercising all powers, functions, and duties of the Council.

11 FEDERAL DEPOSIT INSURANCE CORPORATION

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector  
14 General in carrying out the provisions of the Inspector  
15 General Act of 1978, as amended, \$30,125,000, to be de-  
16 rived from the Bank Insurance Fund, the Savings Asso-  
17 ciation Insurance Fund, and the FSLIC Resolution Fund.

18 GENERAL SERVICES ADMINISTRATION

19 FEDERAL CITIZEN INFORMATION CENTER FUND

20 For necessary expenses of the Federal Citizen Infor-  
21 mation Center, including services authorized by 5 U.S.C.  
22 3109, \$12,500,000, to be deposited into the Federal Cit-  
23 izen Information Center Fund: *Provided*, That the appro-  
24 priations, revenues, and collections deposited into the  
25 Fund shall be available for necessary expenses of Federal

1 Citizen Information Center activities in the aggregate  
2 amount of \$18,000,000. Appropriations, revenues, and  
3 collections accruing to this Fund during fiscal year 2004  
4 in excess of \$18,000,000 shall remain in the Fund and  
5 shall not be available for expenditure except as authorized  
6 in appropriations Acts.

7 INTERAGENCY COUNCIL ON THE HOMELESS

8 OPERATING EXPENSES

9 For necessary expenses (including payment of sala-  
10 ries, authorized travel, hire of passenger motor vehicles,  
11 the rental of conference rooms in the District of Columbia,  
12 and the employment of experts and consultants under sec-  
13 tion 3109 of title 5, United States Code) of the Inter-  
14 agency Council on the Homeless in carrying out the func-  
15 tions pursuant to title II of the McKinney-Vento Homeless  
16 Assistance Act, as amended, \$1,500,000.

17 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

18 SPACE FLIGHT CAPABILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses, not otherwise provided for,  
21 in the conduct and support of space flight capabilities re-  
22 search and development activities, including research, de-  
23 velopment, operations, support and services; maintenance;  
24 construction of facilities including repair, rehabilitation,  
25 revitalization and modification of facilities, construction of  
26 new facilities and additions to existing facilities, facility

1 planning and design, and acquisition or condemnation of  
 2 real property, as authorized by law; environmental compli-  
 3 ance and restoration; space flight, spacecraft control and  
 4 communications activities including operations, produc-  
 5 tion, and services; program management; personnel and  
 6 related costs, including uniforms or allowances therefor,  
 7 as authorized by 5 U.S.C. 5901–5902; travel expenses;  
 8 purchase and hire of passenger motor vehicles; not to ex-  
 9 ceed \$35,000 for official reception and representation ex-  
 10 penses; and purchase, lease, charter, maintenance and op-  
 11 eration of mission and administrative aircraft,  
 12 \$7,806,100,000, to remain available until September 30,  
 13 2005, of which amounts as determined by the Adminis-  
 14 trator for salaries and benefits; training, travel and  
 15 awards; facility and related costs; information technology  
 16 services; science, engineering, fabricating and testing serv-  
 17 ices; and other administrative services may be transferred  
 18 to “Science, aeronautics and exploration” in accordance  
 19 with section 312(b) of the National Aeronautics and Space  
 20 Act of 1958, as amended by Public Law 106–377.

21 SCIENCE, AERONAUTICS AND EXPLORATION

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses, not otherwise provided for,  
 24 in the conduct and support of science, aeronautics and ex-  
 25 ploration research and development activities, including  
 26 research, development, operations, support and services;

1 maintenance; construction of facilities including repair, re-  
2 habilitation, revitalization, and modification of facilities,  
3 construction of new facilities and additions to existing fa-  
4 cilities, facility planning and design, and acquisition or  
5 condemnation of real property, as authorized by law; envi-  
6 ronmental compliance and restoration; space flight, space-  
7 craft control and communications activities including oper-  
8 ations, production, and services; program management;  
9 personnel and related costs, including uniforms or allow-  
10 ances therefor, as authorized by 5 U.S.C. 5901–5902;  
11 travel expenses; purchase and hire of passenger motor ve-  
12 hicles; not to exceed \$35,000 for official reception and rep-  
13 resentation expenses; and purchase, lease, charter, mainte-  
14 nance and operation of mission and administrative air-  
15 craft, \$7,707,900,000, to remain available until Sep-  
16 tember 30, 2005, of which amounts as determined by the  
17 Administrator for salaries and benefits; training, travel  
18 and awards; facility and related costs; information tech-  
19 nology services; science, engineering, fabricating and test-  
20 ing services; and other administrative services may be  
21 transferred to “Space flight capabilities” in accordance  
22 with section 312(b) of the National Aeronautics and Space  
23 Act of 1958, as amended by Public Law 106–377.

## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General in carrying out the Inspector General Act of 1978,  
4 as amended, \$26,300,000.

## 5 ADMINISTRATIVE PROVISIONS

6 Notwithstanding the limitation on the availability of  
7 funds appropriated for “Science, aeronautics and explo-  
8 ration”, or “Space flight capabilities” by this appropria-  
9 tions Act, when any activity has been initiated by the in-  
10 currence of obligations for construction of facilities or en-  
11 vironmental compliance and restoration activities as au-  
12 thorized by law, such amount available for such activity  
13 shall remain available until expended. This provision does  
14 not apply to the amounts appropriated for institutional  
15 minor revitalization and construction of facilities, and in-  
16 stitutional facility planning and design.

17 Notwithstanding the limitation on the availability of  
18 funds appropriated for “Science, aeronautics and explo-  
19 ration”, or “Space flight capabilities” by this appropria-  
20 tions Act, the amounts appropriated for construction of  
21 facilities shall remain available until September 30, 2006.

22 From amounts made available in this Act for these  
23 activities, the Administration may transfer amounts be-  
24 tween aeronautics of the “Science, Aeronautics and Explo-  
25 ration” account and crosscutting technologies of the  
26 “Space flight capabilities” account.

1 Funds for announced prizes otherwise authorized  
 2 shall remain available, without fiscal year limitation, until  
 3 the prize is claimed or the offer is withdrawn.

4 The unexpired balances of prior appropriations to  
 5 NASA for activities for which funds are provided under  
 6 this Act may be transferred to the new account established  
 7 for the appropriation that provides such activity under this  
 8 Act. Balances so transferred may be merged with funds  
 9 in the newly established account and thereafter may be  
 10 accounted for as one fund under the same terms and con-  
 11 ditions.

#### 12 NATIONAL CREDIT UNION ADMINISTRATION

##### 13 CENTRAL LIQUIDITY FACILITY

##### 14 *(INCLUDING TRANSFER OF FUNDS)*

15 During fiscal year 2004, gross obligations of the Cen-  
 16 tral Liquidity Facility for the principal amount of new di-  
 17 rect loans to member credit unions, as authorized by 12  
 18 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Pro-*  
 19 *vided*, That administrative expenses of the Central Liquid-  
 20 ity Facility in fiscal year 2004 shall not exceed \$310,000.

#### 21 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

22 For the Community Development Revolving Loan  
 23 Fund program as authorized by 42 U.S.C. 9812, 9822  
 24 and 9910, \$1,000,000 for technical assistance to low-in-  
 25 come and community development credit unions.

## 1 NATIONAL SCIENCE FOUNDATION

## 2 RESEARCH AND RELATED ACTIVITIES

3 For necessary expenses in carrying out the National  
4 Science Foundation Act of 1950, as amended (42 U.S.C.  
5 1861–1875), and the Act to establish a National Medal  
6 of Science (42 U.S.C. 1880–1881); services as authorized  
7 by 5 U.S.C. 3109; maintenance and operation of aircraft  
8 and purchase of flight services for research support; acqui-  
9 sition of aircraft; and authorized travel; \$4,306,360,000,  
10 of which not more than \$355,000,000 shall remain avail-  
11 able until expended for Polar research and operations sup-  
12 port, and for reimbursement to other Federal agencies for  
13 operational and science support and logistical and other  
14 related activities for the United States Antarctic program;  
15 the balance to remain available until September 30, 2005:  
16 *Provided*, That receipts for scientific support services and  
17 materials furnished by the National Research Centers and  
18 other National Science Foundation supported research fa-  
19 cilities may be credited to this appropriation: *Provided fur-*  
20 *ther*, That to the extent that the amount appropriated is  
21 less than the total amount authorized to be appropriated  
22 for included program activities, all amounts, including  
23 floors and ceilings, specified in the authorizing Act for  
24 those program activities or their subactivities shall be re-

1 duced proportionally and used for authorized purposes of  
2 this account.

3 MAJOR RESEARCH EQUIPMENT AND FACILITIES

4 CONSTRUCTION

5 For necessary expenses for the acquisition, construc-  
6 tion, commissioning, and upgrading of major research  
7 equipment, facilities, and other such capital assets pursu-  
8 ant to the National Science Foundation Act of 1950, as  
9 amended, including authorized travel, \$192,330,000, to  
10 remain available until expended.

11 EDUCATION AND HUMAN RESOURCES

12 For necessary expenses in carrying out science and  
13 engineering education and human resources programs and  
14 activities pursuant to the National Science Foundation  
15 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-  
16 ing services as authorized by 5 U.S.C. 3109, authorized  
17 travel, and rental of conference rooms in the District of  
18 Columbia, \$910,680,000, to remain available until Sep-  
19 tember 30, 2005: *Provided*, That to the extent that the  
20 amount of this appropriation is less than the total amount  
21 authorized to be appropriated for included program activi-  
22 ties, all amounts, including floors and ceilings, specified  
23 in the authorizing Act for those program activities or their  
24 subactivities shall be reduced proportionally.



## SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; \$215,900,000: *Provided*, That contracts may be entered into under “Salaries and expenses” in fiscal year 2004 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

## OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), \$3,800,000: *Provided*, That not more than \$9,000 shall be available for official reception and representation expenses.

## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General as authorized by the Inspector General Act of  
4 1978, as amended, \$10,000,000, to remain available until  
5 September 30, 2005.

6 NEIGHBORHOOD REINVESTMENT CORPORATION  
7 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT  
8 CORPORATION

9 For payment to the Neighborhood Reinvestment Cor-  
10 poration for use in neighborhood reinvestment activities,  
11 as authorized by the Neighborhood Reinvestment Corpora-  
12 tion Act (42 U.S.C. 8101–8107), \$115,000,000.

## 13 ADMINISTRATIVE PROVISION

14 Section 605(a) of the Neighborhood Reinvestment  
15 Corporation Act (42 U.S.C. 8104) is amended by—

16 (1) striking out “compensation” and inserting  
17 “salary”; and striking out “highest rate provided for  
18 GS–18 of the General Schedule under section 5332  
19 of title 5 United States Code”; and inserting “rate  
20 for level IV of the Executive Schedule”; and

21 (2) inserting after the end the following sen-  
22 tence: “The Corporation shall also apply the provi-  
23 sions of section 5307 (a)(1), (b)(1), and (b)(2) of  
24 title 5, United States Code, governing limitations on  
25 certain pay as if its employees were Federal employ-  
26 ees receiving payments under title 5.”.

## 1 SELECTIVE SERVICE SYSTEM

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Selective Service Sys-  
4 tem, including expenses of attendance at meetings and of  
5 training for uniformed personnel assigned to the Selective  
6 Service System, as authorized by 5 U.S.C. 4101–4118 for  
7 civilian employees; purchase of uniforms, or allowances  
8 therefor, as authorized by 5 U.S.C. 5901–5902; hire of  
9 passenger motor vehicles; services as authorized by 5  
10 U.S.C. 3109; and not to exceed \$750 for official reception  
11 and representation expenses; \$28,290,000: *Provided*, That  
12 during the current fiscal year, the President may exempt  
13 this appropriation from the provisions of 31 U.S.C. 1341,  
14 whenever the President deems such action to be necessary  
15 in the interest of national defense: *Provided further*, That  
16 none of the funds appropriated by this Act may be ex-  
17 pended for or in connection with the induction of any per-  
18 son into the Armed Forces of the United States.

## 19 TITLE IV—GENERAL PROVISIONS

20 SEC. 401. No part of any appropriation contained in  
21 this Act shall remain available for obligation beyond the  
22 current fiscal year unless expressly so provided herein.

23 SEC. 402. No funds appropriated by this Act may be  
24 expended—

1           (1) pursuant to a certification of an officer or  
2       employee of the United States unless—

3           (A) such certification is accompanied by,  
4       or is part of, a voucher or abstract which de-  
5       scribes the payee or payees and the items or  
6       services for which such expenditure is being  
7       made; or

8           (B) the expenditure of funds pursuant to  
9       such certification, and without such a voucher  
10      or abstract, is specifically authorized by law;  
11      and

12          (2) unless such expenditure is subject to audit  
13      by the General Accounting Officer or is specifically  
14      exempt by law from such audit.

15      SEC. 403. None of the funds provided in this Act to  
16      any department or agency may be obligated or expended  
17      for: (1) the transportation of any officer or employee of  
18      such department or agency between the domicile and the  
19      place of employment of the officer or employee, with the  
20      exception of an officer or employee authorized such trans-  
21      portation under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2)  
22      to provide a cook, chauffeur, or other personal servants  
23      to any officer or employee of such department or agency.

24      SEC. 404. None of the funds provided in this Act may  
25      be used for payment, through grants or contracts, to re-

1 cipients that do not share in the cost of conducting re-  
2 search resulting from proposals not specifically solicited  
3 by the Government: *Provided*, That the extent of cost  
4 sharing by the recipient shall reflect the mutuality of in-  
5 terest of the grantee or contractor and the Government  
6 in the research.

7       SEC. 405. None of the funds provided in this Act may  
8 be used, directly or through grants, to pay or to provide  
9 reimbursement for payment of the salary of a consultant  
10 (whether retained by the Federal Government or a grant-  
11 ee) at more than the daily equivalent of the rate paid for  
12 level IV of the Executive Schedule, unless specifically au-  
13 thorized by law.

14       SEC. 406. None of the funds provided in this Act may  
15 be used to pay the expenses of, or otherwise compensate,  
16 non-Federal parties intervening in regulatory or adjudica-  
17 tory proceedings. Nothing herein affects the authority of  
18 the Consumer Product Safety Commission pursuant to  
19 section 7 of the Consumer Product Safety Act (15 U.S.C.  
20 2056 et seq.).

21       SEC. 407. Except as otherwise provided under exist-  
22 ing law, or under an existing Executive Order issued pur-  
23 suant to an existing law, the obligation or expenditure of  
24 any appropriation under this Act for contracts for any  
25 consulting service shall be limited to contracts which are:

1 (1) a matter of public record and available for public in-  
2 spection; and (2) thereafter included in a publicly available  
3 list of all contracts entered into within 24 months prior  
4 to the date on which the list is made available to the public  
5 and of all contracts on which performance has not been  
6 completed by such date. The list required by the preceding  
7 sentence shall be updated quarterly and shall include a  
8 narrative description of the work to be performed under  
9 each such contract.

10 SEC. 408. Except as otherwise provided by law, no  
11 part of any appropriation contained in this Act shall be  
12 obligated or expended by any executive agency, as referred  
13 to in the Office of Federal Procurement Policy Act (41  
14 U.S.C. 401 et seq.), for a contract for services unless such  
15 executive agency: (1) has awarded and entered into such  
16 contract in full compliance with such Act and the regula-  
17 tions promulgated thereunder; and (2) requires any report  
18 prepared pursuant to such contract, including plans, eval-  
19 uations, studies, analyses and manuals, and any report  
20 prepared by the agency which is substantially derived from  
21 or substantially includes any report prepared pursuant to  
22 such contract, to contain information concerning: (A) the  
23 contract pursuant to which the report was prepared; and  
24 (B) the contractor who prepared the report pursuant to  
25 such contract.

1       SEC. 409. (a) It is the sense of the Congress that,  
2 to the greatest extent practicable, all equipment and prod-  
3 ucts purchased with funds made available in this Act  
4 should be American-made.

5       (b) In providing financial assistance to, or entering  
6 into any contract with, any entity using funds made avail-  
7 able in this Act, the head of each Federal agency, to the  
8 greatest extent practicable, shall provide to such entity a  
9 notice describing the statement made in subsection (a) by  
10 the Congress.

11       SEC. 410. None of the funds appropriated in this Act  
12 may be used to implement any cap on reimbursements to  
13 grantees for indirect costs, except as published in Office  
14 of Management and Budget Circular A-21.

15       SEC. 411. Such sums as may be necessary for fiscal  
16 year 2004 pay raises for programs funded by this Act shall  
17 be absorbed within the levels appropriated in this Act.

18       SEC. 412. None of the funds made available in this  
19 Act may be used for any program, project, or activity,  
20 when it is made known to the Federal entity or official  
21 to which the funds are made available that the program,  
22 project, or activity is not in compliance with any Federal  
23 law relating to risk assessment, the protection of private  
24 property rights, or unfunded mandates.

1        SEC. 413. Except in the case of entities that are  
2 funded solely with Federal funds or any natural persons  
3 that are funded under this Act, none of the funds in this  
4 Act shall be used for the planning or execution of any pro-  
5 gram to pay the expenses of, or otherwise compensate,  
6 non-Federal parties to lobby or litigate in respect to adju-  
7 dicatory proceedings funded in this Act. A chief executive  
8 officer of any entity receiving funds under this Act shall  
9 certify that none of these funds have been used to engage  
10 in the lobbying of the Federal Government or in litigation  
11 against the United States unless authorized under existing  
12 law.

13        SEC. 414. No part of any funds appropriated in this  
14 Act shall be used by an agency of the executive branch,  
15 other than for normal and recognized executive-legislative  
16 relationships, for publicity or propaganda purposes, and  
17 for the preparation, distribution or use of any kit, pam-  
18 phlet, booklet, publication, radio, television or film presen-  
19 tation designed to support or defeat legislation pending  
20 before the Congress, except in presentation to the Con-  
21 gress itself.

22        SEC. 415. All departments and agencies funded under  
23 this Act are encouraged, within the limits of the existing  
24 statutory authorities and funding, to expand their use of  
25 “E-Commerce” technologies and procedures in the con-



1 duct of their business practices and public service activi-  
2 ties.

3 SEC. 416. None of the funds made available in this  
4 Act may be transferred to any department, agency, or in-  
5 strumentality of the United States Government except  
6 pursuant to a transfer made by, or transfer authority pro-  
7 vided in, this Act or any other appropriation Act.

8 SEC. 417. None of the funds provided in this Act to  
9 any department or agency shall be obligated or expended  
10 to procure passenger automobiles as defined in 15 U.S.C.  
11 2001 with an EPA estimated miles per gallon average of  
12 less than 22 miles per gallon.

13 SEC. 418. Section 312 of the National Aeronautics  
14 and Space Administration of 1958, as amended, is further  
15 amended—

16 (1) by striking the second Sec. “312” and in-  
17 serting “313”;

18 (2) by inserting the title, “Full Cost Appropria-  
19 tions Account Structure”, before Sec. 313;

20 (3) in subsection (a)—

21 (A) by striking “Human space flight” and  
22 inserting “Space flight capabilities”;

23 (B) by striking “technology” and inserting  
24 “exploration”; and

1                   (C) by striking “2002” and inserting  
2                   “2004”; and

3                   (4) by striking subsection (c), and inserting the  
4                   following new subsection:

5                   “(c) The unexpired balances of prior appropriations  
6 to the Administration for activities authorized under this  
7 Act may be transferred to the new account established for  
8 such activity in subsection (a). Balances so transferred  
9 may be merged with funds in the newly established ac-  
10 count and thereafter may be accounted for as one fund  
11 under the same terms and conditions”.

12                  This Act may be cited as the “Departments of Vet-  
13 erans Affairs and Housing and Urban Development, and  
14 Independent Agencies Appropriations Act, 2004”.



**Union Calendar No. 129**

108TH CONGRESS  
1ST SESSION

**H. R. 2861**

**[Report No. 108-235]**

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**A BILL**

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

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JULY 24, 2003

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed